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No. 10]

NEW DELHI, FEBRUARY 27—MARCH 5, 2011, SATURDAY/PHALGUNA 8—PHALGUNA 14, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

राज्य के लिए शक्तियां और क्षेत्राधिकार प्रदान करती है।

(कार्मिक और प्रशिक्षण विभाग)

[सं. 228/73/2010-ए वी डी-II]

नई दिल्ली, 18 फरवरी, 2011

वी. एम. रत्नम, उप सचिव

का.आ. 653.—दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बिहार सरकार, गुहा (पुलिस) विभाग पटना की सहमति से अधिसूचना सं. 1/सी.बी.आई. 80-04/2010 एच. पी. दिनांक 7-9-2010 द्वारा जाली रेलवे टिकटों का मुद्रण और बिक्री और उपरोक्तलिखित अपराधों और उसी लेन-देन के दौरान किए गए अथवा उसी तथ्यों से उत्पन्न किसी अन्य अपराध अथवा अपराधों के संबंध में दुष्प्रेरण और षडयंत्र से संबंधित थाना बरियारपुर, जिला-मुंगेर (बिहार) में दर्ज भारतीय दण्ड संहिता, 1860 (1860 की अधिनियम सं. 45) की धारा 420, 467, 468, 471, 409 और 120-बी तथा शस्त्र अधिनियम, 1959 (1959 की अधिनियम सं. 54) की धारा 25 (1-बी) 26 और 35 के अंतर्गत मुकदमा सं. 47/10 दिनांक 29-5-2010 की जांच हेतु दिल्ली विशेष पुलिस स्थापना अधिनियम के सदस्यों को एतद्वारा सम्पूर्ण बिहार

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 18th February, 2011

S.O. 653.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Bihar Home (Police) Department, Patna vide Notification No. 1/CBI-80-04/2010-H. P. dated 7-9-2010, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Bihar for investigation of case No. 47/10 dated 29-5-2010 under sections 420, 467, 468, 471, 409 and 120-B of the Indian Penal Code, 1860

(Act No. 45 of 1860) and sections 25 (I-B), 26 and 35 of the Arms Act, 1959 (Act No. 54 of 1959) registered at Bariarpur, Police Station, District Munger (Bihar) relating to printing and sale of fake Railway Tickets and attempts, abetment and conspiracy in relation to or in connection with the above mentioned offences and any other offence or offences committed in course of the same transaction or arising out of the same facts.

[No. 228/73/2010-AVD-II]

V. M. RATHNAM, Dy. Secy.

नई दिल्ली, 22 फरवरी, 2011

का.आ. 654.—केंद्रीय सरकार एतद्वारा दण्ड प्रक्रिया संहिता, 1973 (वर्ष 1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए गुवाहाटी उच्च न्यायालय, गुवाहाटी में दिल्ली विशेष पुलिस स्थापना (के.अ. ब्यूरो) द्वारा अन्वेषण किए जाने वाले मामलों के अभियोजन, अपीलों, पुनरीक्षण या इस मामले से उद्भूत अन्य मामलों का संचालन करने के लिए श्री प्रशांत एन. चौधरी, एडवोकेट को केन्द्रीय अन्वेषण ब्यूरो (सीबीआई) में विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/2/2010-ए बी डी-II]

वी. एम. रत्नम, उप सचिव

New Delhi, the 22nd February, 2011

S.O. 654.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Prasant N. Choudhury, Advocate, as Special Public Prosecutor of the Delhi Special Police Establishment (Central Bureau of Investigation) in the Guwahati High Court at Guwahati for conducting the prosecution appeals, revisions or other matters arising out of the cases investigated by the Delhi Special Police Establishment (CBI).

[No. 225/2/2010-AVD-II]

V. M. RATHNAM, Dy. Secy.

नई दिल्ली, 23 फरवरी, 2011

का.आ. 655.—केंद्रीय सरकार एतद्वारा दण्ड प्रक्रिया संहिता, 1973 (वर्ष 1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए विशेष मजिस्ट्रेट रायबरेली तथा विशेष मजिस्ट्रेट (अयोध्या प्रकरण) तथा विशेष जज (अयोध्या प्रकरण) लखनऊ में के.अ. ब्यूरो केस सं. आरसी 8(एस)/1992/एस. आई.यू.-बी/एस.सी-II/नई दिल्ली तथा आर.सी. 1 (एस)/1993 से 48 (एस)/1993/एसआईसी-IV/नई दिल्ली (अयोध्या मामले के संबंध में श्री जे.बी. सिंह, वकील को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/27/2010-ए बी डी-II]

वी. एम. रत्नम, उप सचिव

New Delhi, the 23rd February, 2011

S.O. 655.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri J. B. Singh, Advocate, as Special Public Prosecutor for conducting prosecution in CBI Case No. RC. 8(S)/1992/SIU-V/SC-II/New Delhi and RC. 1(S)/1993 to 48(S)/1993/SIC. IV/New Delhi (Ayodhya cases) before the Special Magistrate, Rai Bareilly and Special Magistrate (Ayodhya Prakran) and Special Judge (Ayodhya Prakran) and Special Judge (Ayodhya Prakran) at Lucknow.

[No. 225/27/2010-AVD-II]

V. M. RATHNAM, Dy. Secy.

नई दिल्ली, 25 फरवरी, 2011

का.आ. 656.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए असम राज्य सरकार, राजनैतिक (ए) विभाग, दिसपुर की दिनांक 6-12-2010 की अधिसूचना सं. पीएलए 659/2009/129 ए द्वारा प्राप्त सहमति से नॉर्थ कछार हिल्स आटोनोमस काउंसिल (एनसीएचएस), एनसी हिल्स डिस्ट्रिक्ट (अब दीमा हम्साओ डिस्ट्रिक्ट), हाफलांग, असम के लोक सेवकों द्वारा सरकारी निधियों के दुर्विनिर्वाह के संबंध में पुलिस स्टेशन सीआईडी में पंजीकृत भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 120 (बी), 409 तथा 420 के अंतर्गत केस सं. 66/2010, भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 120-बी, 409, 420 तथा 467 के अंतर्गत केस सं. 67/2010, भ्रष्टाचार निवारण अधिनियम 1988 (1988 का अधिनियम सं. 49) की धारा 13 (1) (सी) के साथ पठित धारा 13(2) तथा (डी) के अंतर्गत अन्वेषण करने तथा उपर्युक्त उल्लिखित अपराधों के संबंध में प्रयास, दुष्करण तथा षडयंत्र के संबंध में या इसी संव्यवहार के क्रम में या उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध/अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार एतद्वारा सम्पूर्ण असम राज्य के सम्बन्ध में करती है।

[सं. 228/2/2011 ए बी डी II]

वी. एम. रत्नम, उप सचिव

New Delhi, the 25th February, 2011

S.O. 656.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Assam, Political (A) Department, Dispur vide Notification No. PLA. 659/2009/129-A dated 6-12-2010, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Assam for investigation of Case

No. 66/2010 under sections 120-B, 409 and 420 of the Indian Penal Code, 1860 (Act No. 45 of 1860), Case No. 67/2010 under sections 120-B, 409, 420 and 467 of the Indian Penal Code, 1860 (Act No. 45 of 1860), Section 13 (2) read with 13(1)(c) and (d) of the Prevention of Corruption Act, 1988 (Act No. 49 of 1988) registered at Police Station CID relating to misappropriation of Government funds allegedly by the Public Servants in North Cachar Hills Autonomous Council (NCHAC), N.C. Hills District (Now Dima Hasao District), Haflong, Assam and attempt, abetment and conspiracy in relation to or in connection with the above mentioned offences and any other offence or offences committed in course of the same transaction or arising out of the same facts.

[No. 228/2011-AVD-II]

V. M. RATHNAM, Dy. Secy.

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 21 फरवरी, 2011

का.आ. 657.—रुग्ण औद्योगिक कंपनी (विशेष उपबंध) अधिनियम, 1985 की धारा 6 की उपधारा (2) के साथ पठित धारा 4 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री वाई.के. गैहा और श्री एस. के. भट्टाचार्य को पदभार ग्रहण करने की तारीख से तीन वर्षों की अवधि के लिए अथवा उनके 65 वर्ष की आयु प्राप्त कर लेने तक अथवा औद्योगिक और वित्तीय पुनर्निर्माण बोर्ड (बीआईएफआर) के समापन तक अथवा अगले आदेश होने तक, इनमें से जो भी पहले हो, बीआईएफआर के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 20(1)/2004-आई एफ-II (भाग-2)]

राजीव शर्मा, अवर सचिव

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 21st February, 2011

S.O. 657.—In exercise of the powers conferred by sub-section (2) of Section 4 read with Sub-section 2 of Section 6 of the Sick Industrial Companies (Special Provisions) Act, 1985, the Central Government hereby appoints Shri Y.K. Gaiha and Shri S. K. Bhattacharya as Members, Board for Industrial and Financial Reconstruction (BIFR) for three years, with effect from the date of assumption of the charge of the post or till they attain the age of 65 years or till the abolition of BIFR or until further orders, whichever event occurs the earliest.

[F. No. 20(1)/2004-IF-II (Part-2)]

RAJIV SHARMA, Under Secy.

नई दिल्ली, 22 फरवरी, 2011

का.आ. 658.—बीमा विनियामक और विकास प्राधिकरण अधिनियम, 1999 (1999 का 41) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री विजय महाजन के स्थान पर प्रबंधन विकास संस्थान, गुडगांव के निदेशक प्रो. वी.के. गुप्ता को तत्काल प्रभाव से पांच वर्षों की अवधि के लिए अथवा अगले आदेश होने तक, बीमा विनियामक और विकास प्राधिकरण के अंशकालिक सदस्य के रूप में नियुक्त करती है।

[फा. सं. 11/6/2003-बीमा-III]

ललित कुमार, निदेशक (बीमा)

New Delhi, the 22nd February, 2011

S.O. 658.—In exercise of the powers conferred by Section 4 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), the Central Government hereby appoints Prof. V. K. Gupta, Director, Management Development Institute, Gurgaon as Part-time Member of the Insurance Regulatory and Development Authority vice Shri Vijay Mahajan, with immediate effect for a period of five years or until further orders whichever is earlier.

[F. No. 11/6/2003-Ins. III]

LALIT KUMAR, Director (Ins.)

कार्यालय मुख्य आयकर आयुक्त

जयपुर, 24 फरवरी, 2011

(सं. 26/2010-11)

का.आ. 659.—आयकर नियम, 1962 के नियम 2 सी के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खण्ड (23 सी) की उपधारा (iv) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2010-11 एवं आगे के लिए कथित धारा के उद्देश्य से "राजस्थान स्टेट पोल्सूशन कंट्रोल बोर्ड, जयपुर" को स्वीकृति देते हैं बशर्त कि समिति आयकर नियम 1962 के नियम 2 सी के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उपखण्ड (23 सी) की उपधारा (iv) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक : मुआआ/अआआ/(मु.)/जय/10 (23सी)/
(iv)/10-11/6624]

मुकेश भान्ती, मुख्य आयकर आयुक्त

**OFFICE OF THE CHIEF COMMISSIONER OF
INCOME TAX**

Jaipur, the 24th February, 2011

(No. 26/2010-11)

S.O. 659.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2C of the Income-

tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves "Rajasthan State Pollution Control Board, Jaipur" for the purpose of said section for the A. Y. 2010-11 and onwards :

Provided that the society conforms to and complies with the provisions of sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with rule 2C of the Income-tax Rules, 1962.

[No. CCIT/JPR/Addl. CIT (Hqrs.)/10 (23C) (iv)/
2010-11/6624]

MUKESH BHANTI, Chief Commissioner of Income-tax

केंद्रीय प्रत्यक्ष कर बोर्ड

[आयकर निदेशालय (ज.सं., मु.प्र. एवं रा.भा.)]

(राजभाषा प्रभाग)

नई दिल्ली, 21 फरवरी, 2011

का.आ. 660.—केंद्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में केन्द्रीय प्रत्यक्ष कर बोर्ड के निम्नलिखित अधीनस्थ कार्यालय, जिसके 80% से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है :-

आयकर आयुक्त कार्यालय, मैसूर

[फा.सं. 2300/रा.भा.प्र./2009-10]

अमिताभ कुमार, आयकर निदेशक

CENTRAL BOARD OF DIRECT TAXES

[Directorate of Income Tax (PR, PP & OL)]

(Official Language Division)

New Delhi, the 21st February, 2011

S.O. 660.—In pursuance of Sub-rule 4 of Rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following subordinate office of the Central Board of Direct Taxes, whereof more than 80% of the staff have acquired the working knowledge of Hindi :

Office of the Commissioner of Income Tax, Mysore

[F.No. 2300/O. L. D./2009-10]

AMITABH KUMAR, Director of Income Tax

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 24 फरवरी, 2011

(आयकर)

का.आ. 661.—जबकि केन्द्र सरकार ने आयकर अधिनियम, 1961 (1961 का 43) (जिसे बाद में उक्त अधिनियम के रूप में

संशोधित किया गया) की धारा 80इक की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए संख्या का.आ. 51 का अधिसूचना दिनांक 8 जनवरी, 2008 तथा जिसे सं. का.आ. 1605 (अ) दिनांक 2 जुलाई, 2008 के तहत संशोधित किया गया, के तहत वित्त मंत्रालय (राजस्व विभाग), केन्द्रीय प्रत्यक्ष कर बोर्ड में भारत सरकार का अधिसूचना द्वारा औद्योगिक पार्क के लिए एक स्कीम निर्मित करने का अधिसूचित की है;

और जबकि मैसर्स इंडो ग्लोबल इंफ्रास्ट्रक्चर एंड यूटिलिटी सर्विसिज प्रा. लिमिटेड, जिसका पंजीकृत पता 401-402 ग्रेट ईस्टर्न प्लाजा, यरवदा, पुणे-411006 में है, ने सर्वे संख्या 457, 458, 1295/1296/1122/1129/1140 गांव शिरवाल तथा शिंदेवाडी, तहसील खंडाला, जिला सतारा, महाराष्ट्र में एक औद्योगिक पार्क विकसित किया है;

अतः अब आयकर नियमावली, 1962 के नियम 188 के तहत पठित उक्त अधिनियम की धारा 80इक की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा इस अधिसूचना के अनुबंध में उल्लिखित शर्तों के अधीन मैसर्स इंडो ग्लोबल इंफ्रास्ट्रक्चर एंड यूटिलिटी सर्विसिज प्रा. लिमिटेड, जिसका पंजीकृत पता 401-402 ग्रेट ईस्टर्न प्लाजा, यरवदा, पुणे-411006 में है, ने सर्वे संख्या 457, 458, 1295/1296/1122/1129/1140 गांव शिरवाल तथा शिंदेवाडी, तहसील खंडाला, जिला सतारा, महाराष्ट्र में उक्त उपक्रम द्वारा विकसित एवं अनुरक्षित तथा प्रचालित की जा रही है, के रूप में खंड (iii) के प्रोजेक्टार्थ एक औद्योगिक पार्क के रूप में अधिसूचित करती है।

शर्तें जिन पर मैसर्स इंडो ग्लोबल इंफ्रास्ट्रक्चर एंड यूटिलिटी सर्विसिज प्रा. लिमिटेड, पुणे द्वारा एक औद्योगिक पार्क की स्थापना के लिए भारत सरकार का अनुमोदन प्रदान किया गया है।

1.

- | | |
|---|---|
| (i) औद्योगिक उपक्रम का नाम | इंडो ग्लोबल इंफ्रास्ट्रक्चर एंड यूटिलिटी सर्विसिज प्रा. लिमिटेड |
| (ii) अवस्थान | सर्वे 457, 458, 1295/1296/1122/1129/1140 गांव शिरवाल तथा शिंदेवाडी, तहसील खंडाला, जिला सतारा, महाराष्ट्र। |
| (iii) निर्मित न्यूनतम फर्शी क्षेत्र | 15,000 वर्ग मीटर |
| (iv) प्रस्तावित औद्योगिक कार्य-कलाप | जैसा कि औद्योगिक पार्क (संशोधन) स्कीम, 2010 में परिभाषित किया गया है। |
| (v) औद्योगिक उपयोग के लिए उद्दिष्ट आबंटन योग्य क्षेत्रफल की प्रतिशतता | 90.8 प्रतिशत अथवा उससे अधिक |

(vi) वाणिज्यिक उपयोग के लिए उद्दिष्ट आबंटन योग्य क्षेत्रफल की प्रतिशतता	9.2 प्रतिशत अथवा उससे कम
(vii) औद्योगिक उपक्रमों की न्यूनतम संख्या	44 यूनिटें
(viii) औद्योगिक पार्क के प्रारंभ होने की तिथि	25-03-2009

2. औद्योगिक पार्क को स्थानीय प्राधिकरण से प्रारंभ होने के प्रमाणपत्र की तिथि जो 25-03-2009 है, को विकसित के रूप में समझा जाएगा।

3. औद्योगिक पार्क का मालिक एक ही उपक्रम होना चाहिए।

4. अधिनियम के अन्तर्गत कर लाभ औद्योगिक पार्क में कम से कम तीस यूनिटों के अवस्थापित होने के उपरान्त ही उपक्रम को उपलब्ध होंगे। न्यूनतम संख्या में औद्योगिक यूनिटों की संगणना के लिए किसी व्यक्ति तथा उससे संबद्ध उपक्रमों की सभी यूनिटों को एक यूनिट माना जाएगा।

5. संबद्ध उपक्रम की यूनिटों सहित कोई भी औद्योगिक यूनिट आबंटन योग क्षेत्रफल के पच्चीस प्रतिशत से अधिक का उपभोग नहीं करेगी।

6. अधिनियम के अन्तर्गत कर लाभ इस अधिसूचना के तहत अधिसूचित उपक्रम को ही उपलब्ध होगा तथा न कि किसी अन्य व्यक्ति को जो बाद में अधिसूचित औद्योगिक पार्क किसी कारणवश विकसित कर सकता है, विकसित करता है तथा प्रचालन करता है अथवा अनुरक्षण करता है तथा प्रचालित करता है।

7. औद्योगिक यूनिटें केवल वहीं कार्य-कलाप करेंगी जिन्हें औद्योगिक पार्क (संशोधन) स्कीम, 2010 में विनिर्दिष्ट किया गया है।

8. उपक्रम को औद्योगिक पार्क के लिए अलग खाता-बही रखनी चाहिए तथा नियत तिथि तक आयकर विभाग को अपनी आयकर विवरणी दाखिल करनी चाहिए।

9. यह अधिसूचना अमान्य होगी तथा मैसर्स इंडो ग्लोबल इंफ्रास्ट्रक्चर एंड यूटिलिटी सर्विसेज प्राइवेट लिमिटेड, पुणे ऐसी अमान्यता को किसी भी प्रतिक्रिया के लिए पूरी तरह उत्तरदायी होंगे, यदि

(i) इसके द्वारा दाखिल आवेदन तथा परवर्ती दस्तावेज जिसके आधार पर केन्द्र सरकार द्वारा अधिसूचना जारी की जाती है, में गलत सूचना/मिथ्या जानकारी होती है अथवा कुछ वस्तुगत सूचना इसमें नहीं दी गई होती है,

(ii) यह औद्योगिक पार्क के अवस्थान के लिए है जिसके लिए किसी अन्य उपक्रम के नाम में अधिसूचना पहले ही जारी की जा चुकी है।

10. उपक्रम प्रपत्र आई पी एस-11 में एक वार्षिक रिपोर्ट केन्द्रीय प्रत्यक्ष कर बोर्ड को प्रस्तुत करेगा।

11. इस अधिसूचना में उल्लिखित शर्तों तथा औद्योगिक पार्क स्कीम में शामिल की गई शर्तों का उस अवधि के दौरान पालन किया जाना चाहिए जिसके लिए इस स्कीम के अन्तर्गत लाभ उठाए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है, यदि उपक्रम किन्हीं भी शर्तों का पालन करने में असमर्थ होता है।

12. केन्द्र सरकार के अनुमोदन के परियोजना प्लान में किसी संशोधन अथवा भविष्य में अभिज्ञान अथवा आवेदक द्वारा किसी वस्तुगत तथ्य को प्रकट न करने से औद्योगिक पार्क का अनुमोदन अमान्य हो जाएगा।

[अधिसूचना सं. 11/2011/फा. सं. 178/55/2008-आई टी ए-1]

रमण चोपड़ा, निदेशक

(Department of Revenue)

(Central Board of Direct Taxes)

New Delhi, the 24th February, 2011

(INCOME-TAX)

S.O. 661.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-Section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for industrial park, by the notification of the Government of India in the Ministry of Finance (Department of Revenue, Central Board of Direct Taxes) vide number S.O. 51 (E), dated the 8th January, 2008 and amended vide number S.O. 1605 (E) dated 2nd July, 2008;

2. And whereas M/s. Indo-Global Infrastructure & Utility Services Pvt. Ltd. having its registered address at 401-402 Great Eastern Plaza, Yerwada, Pune 411006 has developed an Industrial Park at Survey Nos. 457, 458, 1295/1296/1122/1129/1140 Villages Shirwal and Shindewadi, Tehsil Khandala, Distt. Satara, Maharashtra.

3. Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act read with Rule 18 C of the Income Tax Rules, 1962, the Central Government hereby notifies M/s. Indo-Global Infrastructure & Utility Services Pvt. Ltd. having its registered address at 401-402 Great Eastern Plaza, Yerwada, Pune 411006, has developed an Industrial Park at Survey Nos. 457, 458, 1295/1296/1122/1129/1140 Villages Shirwal and Shindewadi, Tehsil Khandala, Distt. Satara, Maharashtra being developed and being maintained and operated by the said undertaking, as an industrial park for the purposes of the said clause (iii) subject to the terms and conditions mentioned in the annexure to this notification.

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial park by M/s. Indo Global Infrastructure & Utility Services Pvt. Ltd., Pune.

1. (i) Name of the Industrial Undertaking, Indo-Global Infrastructure & Utility Services Pvt. Ltd.

(ii) Location	Survey Nos. 457, 458, 1295/ 1296/1122/1129/1140 Villages Shirwal and Shinde- wadi, Tehsil Khandala, Distt. Satara, Maharashtra
(iii) Minimum Constructed Floor Area	15,000 Square Meters
(iv) Proposed industrial activities	As defined in Industrial Park (Amendment) Scheme, 2010
(v) Percentage of allocable area earmarked for Industrial use	90.8%
(vi) Percentage of allocable area earmarked for commercial use	9.2% or less
(vii) Minimum number of industrial units	44 Units
(viii) Date of commencement of the Industrial Park	25-03-2009

2. The Industrial Park shall be construed as developed on the date of commencement certificate from the local authority which is 25-03-2009.

3. The industrial park should be owned by only one undertaking.

4. The tax benefits under the Act will be available to the undertaking only after minimum number of thirty units are located in the Industrial Park. For the purpose of computing the minimum number of industrial units, all units of a person and his associated enterprises will be treated as a single unit.

5. No industrial unit, along with the units of an associated enterprise, shall occupy more than twenty five per cent of the allocable area.

6. The tax benefits under the Act will be available only to the undertaking notified vide this notification and not to any other person who may subsequently develop, develops and operates or maintains and operates the notified industrial park, for any reason.

7. The Industrial units shall undertake only those activities as specified in Industrial Park (Amendment) Scheme, 2010.

8. The undertaking must keep separate books of accounts for the industrial park and must file its income-tax returns by the due date to the Income-tax department.

9. The notification will be invalid and M/s. Indo-Global Infrastructure & Utility Services Pvt. Ltd., Pune shall be solely responsible for any repercussions of such invalidity, if

- i. the application and subsequent documents furnished by it, on the basis of which the notification is issued by the Central Government contains wrong information/misinformation or

some material information has not been provided in it.

- ii. it is for the location of the industrial park for which notification has already been issued in the name of another undertaking.

10. The undertaking shall furnish an annual report to the Central Board of Direct Taxes in Form IPS-II.

11. The conditions mentioned in this notification as well as those included in the Industrial Park (Amendment) Scheme, 2010 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case the undertaking, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the industrial park.

[Notification No. 11/2011/F. No. 178/55/2008-ITA-I]

RAMAN CHOPRA, Director

औद्योगिक और वित्तीय पुनर्निर्माण अपीलीय प्राधिकरण

नई दिल्ली, 1 मार्च, 2011

का.आ. 662.—राष्ट्रपति, आयकर अपीलीय अधिकरण में स्थायी रूप से कार्यरत वरिष्ठ निजी, सचिव श्रीमती विजय शर्मा को इस प्राधिकरण में पूर्व संशोधित वेतनमान 10000-325-15200/- तथा संशोधित वेतनमान पी.बी-3 रु. 15600-39100 + 6600 दिनांक 14 फरवरी, 2011 (अपराह्न) से तीन वर्ष की अवधि या कार्मिक एवं प्रशिक्षण विभाग के कार्यालय जापन संख्या 6-8-2009-स्थापना (वेतन-2) दिनांक 17-06-2010 के अनुसार या समय-समय पर संशोधित के शर्तों के अनुसार 5 वर्ष तक या अगले आदेश तक या इस कार्यालय के बंद होने तक, जो भी पूर्वघटित/पहले हो, प्रतिनियुक्ति के आधार पर प्रमुख निजी सचिव के पद पर नियुक्त करते हैं।

[मिसिल सं-1/2/2011-प्रशा.]

दया नन्द, अवर सचिव

APPELLATE AUTHORITY FOR INDUSTRIAL AND FINANCIAL RECONSTRUCTION

New Delhi, the 1st March, 2011

S.O. 662.—The President is pleased to appoint Smt. Vijay Sharma, a Sr. Private Secretary of Income Tax Appellate Tribunal as Principal Private Secretary in this Authority in the pre-revised Pay Scale of Rs. 10,000-325-15,200 (Revised pay Band PB-3 Rs. 15600—39100 + 6600 Grade Pay) w.e.f. 14-02-2011 (A/N) on deputation basis, initially for a period of three years extendable as per rules upto 5 years or till abolition of AAIFR or until further orders, whichever is earlier on terms & conditions determined as per the instruction contained in DOPT OM No. 6-8-2009-Estt. (Pay-II) dated 17-06-2010 as amended from time to time.

[No. 1/2/2011-Admin.]

DAYA NAND, Under Secy.

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

(स्वास्थ्य एवं परिवार कल्याण विभाग)

नई दिल्ली, 28 जनवरी, 2011

का.आ. 663.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, भारतीय चिकित्सा परिषद् से परामर्श करके, अर्हता नामावली में परिवर्तन के कारण उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित संशोधन करती है, नामतः—

उक्त अनुसूची में :

(क) श्री वेंकटेश्वर विश्वविद्यालय के सामने मान्यताप्राप्त चिकित्सा अर्हता [जो कि आगे कॉलम (2) के रूप में संदर्भित है] के अन्तर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक पंजीकरण के लिए संपेक्षण [जो कि आगे कॉलम (3) के रूप में संदर्भित है] के सामने निम्नलिखित को शामिल किया जाएगा, नामतः

(2)	(3)
"डॉक्टर ऑफ मेडिसिन (रेडियोलोजी/रेडियो डायग्नोसिस)"	एम डी (रेडियोलोजी/रेडियो डायग्नोसिस) (यह वर्ष 1985 में अथवा उसके बाद कुरुनूल मेडिकल कॉलेज, कुरुनूल, आंध्र प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में श्री वेंकटेश्वर, विश्वविद्यालय द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी।)
"डिप्लोमा इन मेडिकल, रेडियो डायग्नोसिस"	डी एम आर डी (यह वर्ष 1971 में अथवा उसके बाद कुरुनूल मेडिकल कॉलेज, कुरुनूल, आंध्र प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में श्री वेंकटेश्वर, विश्वविद्यालय द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी।)

(ख) "आंध्र प्रदेश स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा के सामने मान्यताप्राप्त अर्हता" [जो कि आगे कॉलम (2) के रूप में संदर्भित है] के अन्तर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के पश्चात् शीर्षक 'पंजीकरण के लिए संपेक्षण' [जो कि आगे कॉलम (3) के रूप में संदर्भित है।] के सामने निम्नलिखित को शामिल किया जाएगा, नामतः

"डॉक्टर ऑफ मेडिसिन (रेडियोलोजी/रेडियो डायग्नोसिस)"	एम डी (रेडियोलोजी/रेडियो डायग्नोसिस) (यह वर्ष 1985 में अथवा उसके बाद कुरुनूल मेडिकल कॉलेज, कुरुनूल, आंध्र प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में आंध्र प्रदेश स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी।)
"डिप्लोमा इन मेडिकल, रेडियो डायग्नोसिस"	डी एम आर डी (यह वर्ष 1971 में अथवा उसके बाद कुरुनूल मेडिकल कॉलेज, कुरुनूल, आंध्र प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में आंध्र प्रदेश स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी।)

(ग) "एन टी आर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा" के सामने मान्यताप्राप्त चिकित्सा अर्हता [जो कि आगे कॉलम (2) के रूप में संदर्भित है] के अन्तर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक पंजीकरण के लिए संपेक्षण [जो कि आगे कॉलम (3) के रूप में संदर्भित है] के सामने निम्नलिखित को शामिल किया जाएगा, नामतः

"डॉक्टर ऑफ मेडिसिन (रेडियोलोजी/रेडियो डायग्नोसिस)"	एम डी (रेडियोलोजी/रेडियो डायग्नोसिस) (यह वर्ष 1985 में अथवा उसके बाद कुरुनूल मेडिकल कॉलेज, कुरुनूल, आंध्र प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में एन टी आर स्वास्थ्य विज्ञान विश्वविद्यालय द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी।)
"डिप्लोमा इन मेडिकल, रेडियो डायग्नोसिस"	डी एम आर डी (यह वर्ष 1971 में अथवा उसके बाद कुरुनूल मेडिकल कॉलेज, कुरुनूल, आंध्र प्रदेश में प्रशिक्षित

(2)

(3)

किए जा रहे विद्यार्थियों के संबंध में एन टी आर स्वास्थ्य विज्ञान विश्वविद्यालय द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी ।)

“मजिस्ट्रार चिरुजिए (कार्डियोथोरेसिक सर्जरी)”

एम. सी. एच. (कार्डियोथोरेसिक सर्जरी)

(यह वर्ष 1994 में अथवा उसके बाद गांधी मेडिकल कॉलेज, हैदराबाद, आंध्र प्रदेश में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में एन टी आर स्वास्थ्य विज्ञान विश्वविद्यालय द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त अर्हता होगी ।)

सभी के लिए टिप्पणी :

1. स्नातकोत्तर पाठ्यक्रम के लिए स्वीकृत मान्यता 5 वर्ष की अधिकतम अवधि के लिए होगी जिसके बाद इसकी पुनरीक्षा की जाएगी ।
2. उप-धारा 4 में अपेक्षित अनुसार मान्यता को समय पर नवीकरण नहीं कराने के फलस्वरूप संबंधित स्नातकोत्तर पाठ्यक्रमों में निरपवाद रूप से दाखिला बंद हो जाएगा ।

[सं. यू. 12012/187/2010-एमई(पी-11)]

अनीता त्रिपाठी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 28th January, 2011

S.O. 663.— In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change of nomenclature of the qualification namely:—

In the said Schedule—

(a) against “Sri Venkateswara University” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

(2)	(3)
“Doctor of Medicine (Radiology/ Radio Diagnosis)”	MD (Radiology/Radio Diagnosis) (This shall be a recognised medical qualification when granted by Sri Venkateswara University in respect of students being trained at Kurnool Medical College, Kurnool, Andhra Pradesh on or after 1985.)
“Diploma in Medical Radio Diagnosis”	DMRD (This shall be a recognised medical qualification when granted by Sri Venkateswara University in respect of students being trained at Kurnool Medical College, Kurnool, Andhra Pradesh on or after 1971.)

(b) against “Andhra Pradesh University of Health Sciences, Vijayawada” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

“Doctor of Medicine (Radiology/ Radio Diagnosis)”	MD (Radiology/Radio Diagnosis) (This shall be a recognised medical qualification when granted by Andhra Pradesh University of Health Sciences, Vijayawada in respect of students being trained at Kurnool Medical College, Kurnool, Andhra Pradesh on or after 1985.)
“Diploma in Medical Radio Diagnosis”	DMRD (This shall be a recognised medical qualification when granted by Andhra Pradesh University of Health Sciences, Vijayawada in respect of students being trained at Kurnool Medical College, Kurnool, Andhra Pradesh on or after 1971.)

(c) against "NTR University of Health Sciences, Vijayawada" under the heading 'Recognised Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Doctor of Medicine (Radiology/ Radio Diagnosis)	MD (Radiology/Radio Diagnosis) (This shall be a recognised medical qualification when granted by NTR University of Health Sciences, Vijayawada in respect of students being trained at Kurnool Medical College, Kurnool, Andhra Pradesh on or after 1985.)
Diploma in Medical Radio Diagnosis	DMRD (This shall be a recognised medical qualification when granted by NTR University of Health Sciences, Vijayawada in respect of students being trained at Kurnool Medical College, Kurnool, Andhra Pradesh on or after 1971.)
Magistrar Chirurgiae (Cardio Thoracic Surgery)	M.Ch (Cardio Thoracic Surgery) (This shall be a recognised medical qualification when granted by NTR University of Health Sciences, Vijayawada in respect of students being trained at Gandhi Medical College, Hyderabad, Andhra Pradesh on or after 1994.)"

Note to all: 1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.

2. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U.12012/187/2010-ME(P-II)]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 14 फरवरी, 2011

का.आ. 664.—दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, भारतीय दंत चिकित्सा परिषद् से परामर्श करके, उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित संशोधन करती है, नामतः—

2. महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक द्वारा प्रदान की जाने वाली दंत चिकित्सा डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 60 के समक्ष कालम 2 एवं 3 की मौजूदा प्रविष्टियों में निम्नलिखित को शामिल किया जाएगा, नामतः—

"XXV. आर्म्ड फोर्सिंग मेडिकल कालेज, पुणे
मास्टर ऑफ डेंटल सर्जरी

(i) प्रोस्थोडोन्टिक्स और क्राउन एंड ब्रिज (यदि 15-6-2010 को अथवा उसके उपरान्त प्रदान की गई हो)	एमडीएस (प्रोस्थो.), महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक
(ii) पेरियोडोन्टोलोजी (यदि 17-6-2010 को अथवा उसके उपरान्त प्रदान की गई हो)	एमडीएस (पेरियो.), महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक
(iii) ओरल एंड मैक्सिलोफेशियल सर्जरी (यदि 19-6-2010 को अथवा उसके उपरान्त प्रदान की गई हो)	एमडीएस (ओरल सर्जरी), महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक
(iv) ओर्थोडोन्टिक्स एंड डेन्टोफेशियल ओर्थोपेडिक्स (यदि 22-6-2010 को अथवा उसके उपरान्त प्रदान की गई हो)	एमडीएस (ओर्थो.), महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक"

[फा. सं. बी.-12018/1/2010-डीई]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 14th February, 2011

S.O. 664.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No.60, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Maharashtra University of Health Sciences, Nashik, the following entries shall be inserted thereunder :—

“XXV. Armed Forces Medical College, Pune
Master of Dental Surgery

(i)	Prosthodontics and Crown & Bridge (if granted on or after 15-06-2010)	MDS (Prosth.), Maharashtra University of Health Sciences, Nashik
(ii)	Periodontology (if granted on or after 17-06-2010)	MDS (Perio.), Maharashtra University of Health Sciences, Nashik
(iii)	Oral & Maxillofacial Surgery (if granted on or after 19-06-2010)	MDS (Oral Surgery), Maharashtra University of Health Sciences, Nashik
(iv)	Orthodontics & Dentofacial Orthopedics (if granted on or after 22-06-2010)	MDS (Ortho.), Maharashtra University of Health Sciences, Nashik”

[F.No.V-12018/1/2010-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 21 फरवरी, 2011

का.आ. 665.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 3 के अंतर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, स्वास्थ्य एवं परिवार कल्याण मंत्रालय, भारत सरकार के दिनांक 24 जनवरी, 1984 के का.आ. सं. 430 की अधिसूचना में, एतद्वारा निम्नलिखित संशोधन करती है, नामतः—

2. उक्त अधिसूचना में, क्रम सं. 4 एवं उससे संबंधित प्रविष्टियों के लिए “धारा 3 के प्रावधान के साथ पठित खंड (च) के अंतर्गत नामांकित” शीर्षक के अंतर्गत उसमें निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा, नामतः—

“4	डा. आर. के. बाली बाली दंत चिकित्सक केन्द्र 20बी/2, डी.बी. गुप्ता रोड, करोल बाग, नई दिल्ली-110005	नामांकित	केन्द्रीय सरकार	17-2-2011”
	दंत चिकित्सा अधिनियम, 1948 की धारा 6(4) के शर्तों में, वे दिनांक 15-2-2010 से पांच वर्ष की शेष अवधि के लिए कार्यालय का कार्यभार संभालेंगे)			

[फा. सं. वी.-12013/2/2009-डीई]

अनीता त्रिपाठी, अवर सचिव

New Delhi, the 21st February, 2011

S.O. 665.—In exercise of the powers conferred under Section 3 of the Dentists Act, 1948 (16 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health and Family Welfare No.S.O. 430 dated 24th January, 1984 namely :—

In the said notification under head “Nominated under clause (F) read with proviso to section 3” for serial No. 4 and the entries relating thereto, the following shall be substituted therein, namely :—

"4. Dr.R.K.Bali
Bali Dental Centre
20-B/2, D.B. Gupta Road
Karol Bagh, New Delhi-11 0 005

Nominated

Central Government

17.02.2011"

(In terms of Section 6(4) of the Dentists
Act, 1948, he shall hold the office for the
remainder of the term of five years w.e.f.
15-02-2010)

[F.No.V.12013/2/2009-DE]

ANITA TRIPATHI, Under Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 15 दिसम्बर, 2010

का.आ. 666.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे रद्द कर दिए गए हैं और वापस ले लिए गये हैं :

अनुसूची

क्रम संख्या	वापस लिये गए मानक (कों) की संख्या और वर्ष	भारत के राजपत्र भाग-2, खंड 3, उपखंड (ii) में का.आ. संख्या और तिथि प्रकाशित	टिप्पणी
(1)	(2)	(3)	(4)
1	आई एस 12063 : 1987	1430, 19-05-1990	—

[सं. ईटी-01/जी-63(ए)]

आर. के. त्रेहन, वैज्ञानिक एफ एवं प्रमुख (विद्युत तकनीकी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 15th December, 2010

S.O. 666.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, it is hereby notified that the Indian Standards, particulars of which are mentioned in the Schedule give hereafter, have been cancelled and stand withdrawn.

SCHEDULE

Sl.No.	No. & Year of the Indian Standard Withdrawn	S.O. No. & Date published in the Gazette of India Part-II, Section-1, Sub-section (ii)	Remarks
(1)	(2)	(3)	(4)
1	IS 12063: 1987 Classification of degrees of protection provided by enclosures of electrical equipment	1430 dt. 19-05-1990	—

[Ref: ET-01/G-63 (A)]

R. K. TREHAN, Scientist-F & Head (Electrotechnical)

नई दिल्ली, 18 जनवरी, 2011

का.आ. 667.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है:—

अनुसूची

क्रम सं. 'स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आई एस/आईसी 61262-1 : 1994 चिकित्सा विद्युत उपस्कर-विद्युत प्रकाशित एकसरे बिम्ब तंत्रिकारकों के अभिलक्षण भाग 1 प्रवेश क्षेत्र का साईज़ ज्ञात करना	आई एस 13728 : 1993	फरवरी 2010

इस मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलुरु, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम एच डी/जी 3.5]

राकेश कुमार, वैज्ञानिक 'एफ' एवं प्रमुख (एमएसडी)

New Delhi, the 18th January, 2011

S.O. 667.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which is given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl.No. - No. & Year of the Indian Standards	No. & Year of Indian Standards, if any, superseded by the New Indian Standard	Date established
(1)	(2)	(3)
1. IS/IEC 61262-1 : 1994 Medical Electrical Equipment—Characteristics of Electro-Optical X-Ray Image Intensifiers Part-1 Determination of the Entrance Field Size	IS 13728 : 1993	February, 2010

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MHD/G-3.5]

RAKESH KUMAR, Scientist-'F' & Head (MHD)

नई दिल्ली, 21 फरवरी, 2011

का.आ. 668.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं:—

अनुसूची

क्रम सं. 'स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आई एस 15874 : 2009/सिसपर 28 : 1997 औद्योगिक, वैज्ञानिक और चिकित्सा उपस्कर	—	जून 2009

(1)	(2)	(3)	(4)
	(आईएसएम) आई टी यू द्वारा निर्धारित बैंड्स के अंतर्गत उत्सर्जन स्तर के लिये मार्गदर्शी सिद्धांत		
2.	आई एस/आई ई सी 60793-1-50 : 2001 प्रकाशित तंतु भाग 1 मापन विधियाँ और परीक्षण प्रक्रियाएँ अनुभाग 50 नम उष्मा (स्थायी अवस्था)	—	जुलाई 2009
3.	आई एस 15867 (भाग 1) : 2010 सतह की अनियमितताओं की सीमाओं पर फेराइट कोर गाइड भाग 1 सामान्य विशिष्टि	—	फरवरी 2010
4.	आई एस 14901 (भाग 1) : 2010/आई ई सी 60747-1 : 2006 अर्धचालक युक्तियाँ-विविक्त युक्तियाँ एवं समाकलित परिपथ-भाग 1 सामान्य (पहला पुनरीक्षण)	—	फरवरी 2010
5.	आई एस 14901 (भाग 5/अनुभाग 1) : 2010/आई ई सी 60747-5-1 : 2002 अर्धचालक युक्तियाँ-विविक्त युक्तियाँ एवं समाकलित परिपथ-भाग 5 आन्टोइलैक्ट्रॉनिक युक्तियाँ अनुभाग-1 सामान्य (पहला पुनरीक्षण)	—	फरवरी 2010
6.	आई एस/आईएसओ/आईईसी 27006 : 2007 सूचना प्रौद्योगिकी-सुरक्षा तकनीक-आडिटिंग एवं सूचना सुरक्षा प्रबंधन तंत्र की प्रमाणन करने वाले निकायों की अपेक्षाएँ	—	फरवरी 2010

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एल आई टी डी/जी-75]

नरेन्द्र सिंह, प्रमुख (इलेक्ट्रॉनिकी एवं आई टी)

New Delhi, the 21st February, 2011

S.O. 668.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl.No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of established
(1)	(2)	(3)	(4)
1.	IS 15874 : 2009/CISPR 28 : 1997 Industrial, Scientific and Medical Equipment (ISM) - Guidelines for Emission Levels within the Bands Designated by ITU	—	June 2009

(1)	(2)	(3)	(4)
2.	IS/IEC 60793-1-50 : 2001 Optical Fibres : Part 1 Measurement Methods and Test Procedures Sec 50 Damp Heat (Steady State)	—	July 2009
3.	IS 15867(part 1) : 2010/ IEC 60424-1 : 1999 Ferrite Cores Guide on the Limits of Surface Irregularities: Part 1 General Specification	—	February 2010
4.	IS/ISO/IEC 27006 : 2007 Information Technology - Security Techniques - requirements for Bodies Providing Audit and Certification of Information Security Management Systems	—	February 2010
5.	IS 14901(part 5/Sec 1) : 2010/IEC 60747-5-1 : 2002 Semiconductor Devices - Discrete Devices and Integrated Circuits Part 5 Optoelectronic Devices Sec 1 General (First Revision)	—	February 2010
6.	IS 14901 (Part 1):2010/IEC 60747-1 : 2006 Semiconductor Devices - Discrete Devices and Integrated Circuits Part 1 General (First Revision)	—	February 2010

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: LITD/G-75]

NARENDRA SINGH, Head (Electronics & IT)

नई दिल्ली, 21 फरवरी, 2011

का.आ. 669.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में एतद्वारा अधि सूचित किया जाता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे रद्द कर दिए गए हैं और वापस ले लिये गये हैं:—

अनुसूची

क्रम सं.	रद्द किये गये मानक की संख्या और वर्ष	भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) में का.आ. संख्या और तिथि प्रकाशित	टिप्पणी
(1)	(2)	(3)	(4)
1.	आई एस 5000 (ओ डी 01) : 1969 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 01	एस ओ न. उपलब्ध नहीं है।	मानक अप्रचलित है।

(1)	(2)	(3)	(4)
2.	आई एस 5000 (ओ डी 04) : 1969 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 04	एस. ओ. नं. उपलब्ध नहीं है।	मानक अप्रचलित है।
3.	आई एस 5000 (ओ डी 05) : 1969 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 05	एस. ओ. नं. उपलब्ध नहीं है।	मानक अप्रचलित है।
4.	आई एस 5000 (ओ डी 06) : 1969 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 06	एस. ओ. नं. उपलब्ध नहीं है।	मानक अप्रचलित है।
5.	आई एस 5000 (ओ डी 07) : 1969 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 07	एस. ओ. नं. उपलब्ध नहीं है।	मानक अप्रचलित है।
6.	आई एस 5000 (ओ डी 08) : 1969 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 08	एस. ओ. नं. उपलब्ध नहीं है।	मानक अप्रचलित है।
7.	आई एस 5000 (ओ डी 09) : 1969 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 09	एस. ओ. नं. 1425 तिथि 19-5-1990	मानक अप्रचलित है।
8.	आई एस 5000 (ओ डी 10) : 1971 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 10	एस. ओ. नं. 3318 तिथि 21-10-1972	मानक अप्रचलित है।
9.	आई एस 5000 (ओ डी 11) : 1971 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 11	एस. ओ. नं. 3318 तिथि 21-10-1972	मानक अप्रचलित है।
10.	आई एस 5000 (ओ डी 12) : 1971 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 12	एस. ओ. नं. 3318 तिथि 21-10-1972	मानक अप्रचलित है।
11.	आई एस 5000 (ओ डी 13) : 1971 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 13	एस. ओ. नं. 3318 तिथि 21-10-1972	मानक अप्रचलित है।
12.	आई एस 5000 (ओ डी 14) : 1971 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 14	एस. ओ. नं. 3318 तिथि 21-10-1972	मानक अप्रचलित है।
13.	आई एस 5000 (ओ डी 15) : 1973 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 15	एस. ओ. नं. 2939 तिथि 6-9-1975	मानक अप्रचलित है।
14.	आई एस 5000 (ओ डी 16) : 1973 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 16	एस. ओ. नं. 2081 तिथि 5-9-1975	मानक अप्रचलित है।
15.	आई एस 5000 (ओ डी 17) : 1974 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 17	एस. ओ. नं. 1232 तिथि 3-4-1976	मानक अप्रचलित है।

(1)	(2)	(3)	(4)
16.	आई एस 5000 (ओ डी 18) : 1974 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 18	एस. ओ. नं. 1597 तिथि 8-5-1976	मानक अप्रचलित है ।
17.	आई एस 5000 (ओ डी 19) : 1974 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 19	एस. ओ. नं. 1232 तिथि 3-4-1976	मानक अप्रचलित है ।
18.	आई एस 5000 (ओ डी 20) : 1978 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 20	एस. ओ. नं. 2584 तिथि 3-10-1981	मानक अप्रचलित है ।
19.	आई एस 5000 (ओ डी 21) : 1979 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 21	एस. ओ. नं. 2584 तिथि 3-10-1981	मानक अप्रचलित है ।
20.	आई एस 5000 (ओ डी 23) : 1978 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 23	एस. ओ. नं. 1342 तिथि 3-4-1982	मानक अप्रचलित है ।
21.	आई एस 5000 (ओ डी 25) : 1978 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 25	एस. ओ. नं. 1342 तिथि 3-4-1982	मानक अप्रचलित है ।
22.	आई एस 5000 (ओ डी 26) : 1971 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 26	एस. ओ. नं. 2584 तिथि 3-10-1981	मानक अप्रचलित है ।
23.	आई एस 5000 (ओ डी 27) : 1978 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 27	एस. ओ. नं. 2584 तिथि 3-10-1981	मानक अप्रचलित है ।
24.	आई एस 5000 (ओ डी 28) : 1978 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 28	एस. ओ. नं. 2562 तिथि 10-10-1981	मानक अप्रचलित है ।
25.	आई एस 5000 (ओ डी 29) : 1979 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 29	एस. ओ. नं. 2862 तिथि 10-10-1981	मानक अप्रचलित है ।
26.	आई एस 5000 (ओ डी 31) : 1981 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 31	एस. ओ. नं. उपलब्ध नहीं है ।	मानक अप्रचलित है ।
27.	आई एस 5000 (ओ डी 32) : 1981 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 32	एस. ओ. नं. 1294 तिथि 30-3-1985	मानक अप्रचलित है ।
28.	आई एस 5000 (ओ डी 33) : 1981 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 33	एस. ओ. नं. 1294 तिथि 30-3-1985	मानक अप्रचलित है ।

(1)	(2)	(3)	(4)
29.	आई एस 5000 (ओ डी 34) : 1981 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 34	एस. ओ. नं. 2831 तिथि 22-6-1985	मानक अप्रचलित है ।
30.	आई एस 5000 (ओ डी 35) : 1981 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 35	एस. ओ. नं. 1294 तिथि 30-3-1985	मानक अप्रचलित है ।
31.	आई एस 5000 (ओ डी 36) : 1981 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 36	एस. ओ. नं. 2148 तिथि 18-5-1985	मानक अप्रचलित है ।
32.	आई एस 5000 (ओ डी 37) : 1982 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 37	एस. ओ. नं. 2882 तिथि 16-8-1986	मानक अप्रचलित है ।
33.	आई एस 5000 (ओ डी 38) : 1984 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 38	एस. ओ. नं. 0298 तिथि 31-1-1987	मानक अप्रचलित है ।
34.	आई एस 5000 (ओ डी 39) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 39	एस. ओ. नं. 1424 तिथि 19-5-1990	मानक अप्रचलित है ।
35.	आई एस 5000 (ओ डी 40) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 40	एस. ओ. नं. 1429 तिथि 19-5-1990	मानक अप्रचलित है ।
36.	आई एस 5000 (ओ डी 41) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 41	एस. ओ. नं. 1424 तिथि 19-5-1990	मानक अप्रचलित है ।
37.	आई एस 5000 (ओ डी 42) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 42	एस. ओ. नं. 1425 तिथि 19-5-1990	मानक अप्रचलित है ।
38.	आई एस 5000 (ओ डी 43) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 43	एस. ओ. नं. 1424 तिथि 19-5-1990	मानक अप्रचलित है ।
39.	आई एस 5000 (ओ डी 44) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 44	एस. ओ. नं. 1424 तिथि 19-5-1990	मानक अप्रचलित है ।
40.	आई एस 5000 (ओ डी 45) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 45	एस. ओ. नं. 1425 तिथि 19-5-1990	मानक अप्रचलित है ।
41.	आई एस 5000 (ओ डी 46) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 46	एस. ओ. नं. 1537 तिथि 2-6-1990	मानक अप्रचलित है ।
42.	आई एस 5000 (ओ डी 47) : 1986 अर्धचालक युक्तियों का आयाम : युक्ति रूपरेखा ओ डी 47	एस. ओ. नं. 1424 तिथि 19-5-1990	मानक अप्रचलित है ।

(1)	(2)	(3)	(4)
43.	आई एस 5608 (भाग 5) : 2002/आई ई सी 189-6(1982) पीवीसी विद्युतरोधन और पीवीसी खोल सहित अल्प आवृत्ति केबलों तथा तारों की विशिष्ट भाग 5 संकेतन केबलों (प्रथम पुनरीक्षण)	एस ओ न. 2900 तिथि 14-9-2002	वापिस लेने के लिए अनुमोदित क्योंकि जिस मानक पर यह मानक आधारित था वह आई ई सी वापिस ले लिया गया है।
44.	आई एस 5608 (भाग 6) : 2001/आई ई सी 189-6(1971) पीवीसी विद्युतरोधन और पीवीसी खोल सहित अल्प आवृत्ति केबलों तथा तारों की विशिष्ट भाग 6 जम्पर केबलों (प्रथम पुनरीक्षण)	एस ओ न. 2900 तिथि 14-9-2002	वापिस लेने के लिए अनुमोदित क्योंकि जिस मानक पर यह मानक आधारित था वह आई ई सी वापिस ले लिया गया है।
45.	आई एस 12598 संचार, मापयंत्रण और नियंत्रण के लिये तापसुघट्य केबलों	एस ओ न. 2136 तिथि 11-8-1990	एलआईटीडी 06 के द्वारा वापिस लेने के लिए अनुमोदित
46.	आई एस 13176 दूरसंचार, केबल के पी वी सी विद्युतरोधन और पीवीसी खोल	एस ओ न. 1707 तिथि 27-6-1992	एलआईटीडी 06 के द्वारा वापिस लेने के लिए अनुमोदित
47.	आई एस 15114 : 2002, सूचना प्रक्रमण-64 बिट ब्लॉक सिफर एल्गोरिथ्म के प्रचालन प्रकार	एस ओ न. 2900 तिथि 14-9-2002	वापिस लेने के लिए अनुमोदित क्योंकि जिस मानक पर यह मानक आधारित था वह आई एस ओ 8372 : 1987 वापिस ले लिया गया है।
48.	आई एस 15115 : 2002 सूचना प्रौद्योगिकी-सुरक्षा तकनीक- क्रिप्टोग्राफिक एल्गोरिथ्म के पंजीकरण की विधियाँ	एस ओ न. 2900 तिथि 14-9-2002	वापिस लेने के लिए अनुमोदित क्योंकि जिस मानक पर यह मानक आधारित था वह आई एस ओ 9979 : 1999 वापिस ले लिया गया है।

[संदर्भ : एल आई टी डी/जी 75]

नरेन्द्र सिंह, प्रमुख (इलेक्ट्रॉनिकी एवं आई टी)

New Delhi, the 21st February, 2011

S.O. 669.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, it is hereby notified that the Indian Standards, Particulars of which are mentioned in the Schedule give hereafter, have been cancelled and stand withdrawn.

SCHEDULE

Sl.No.	No. & Year of the Indian Standards Cancelled	S.O. No. & Date published in the Gazette of India, Part-II, Section-3, Sub-section (ii)	Remarks
(1)	(2)	(3)	(4)
1.	IS 5000 (OD 01) : 1969 Dimensions of semiconductor devices : Devices outline OD 1	S.O. No. not available	Standard is Obsolete
2.	IS 5000 (OD 04) : 1969 Dimensions of semiconductor devices: Device outline OD 4	- do -	- do -

(1)	(2)	(3)	(4)
3.	IS 5000 (OD 05) : 1969 Dimensions of semiconductor devices: Device outline OD 5	S.O. No. not available	Standard is Obsolete
4.	IS 5000 (OD 06) : 1969 Dimensions of semiconductor devices: Device outline OD 6	- do -	-do-
5.	IS 5000 (OD 07) : 1969 Dimensions of semiconductor devices: Device outline OD 7	- do -	-do-
6.	IS 5000 (OD 08) : 1979 Dimensions of semiconductor devices: Device outline OD 8	- do -	-do-
7.	IS 5000 (OD 09) : 1986 Dimensions of semiconductor devices: Device outline OD 9 (first revision)	S.O. 1425 19-05-1990	-do-
8.	IS 5000 (OD 10) : 1971 Dimensions of semiconductor devices: Device outline OD 10	S.O. 3318 21-10-1972	-do-
9.	IS 5000 (OD 11) : 1971 Dimensions of semiconductor devices: Device outline OD 11	S.O. 3318 21-10-1972	-do-
10.	IS 5000 (OD 12) : 1971 Dimensions of semiconductor devices: Device outline OD 12	S.O. 3318 21-10-1972	-do-
11.	IS 5000 (OD 13) : 1971 Dimensions of semiconductor devices: Device outline OD 13	S.O. 3318 21-10-1972	-do-
12.	IS 5000 (OD 14) : 1971 Dimensions of semiconductor devices: Device outline OD 14	S.O. 3318 21-10-1972	-do-
13.	IS 5000 (OD 15) : 1973 Dimensions of semiconductor devices: Device outline OD 15	S.O. 2939 06-09-1975	-do-
14.	IS 5000 (OD 16) : 1973 Dimensions of semiconductor devices: Device outline OD 16	S.O. 2081 05-07-1975	-do-
15.	IS 5000 (OD 17) : 1974 Dimensions of semiconductor devices: Device outline OD 17	S.O. 1232 03-04-1976	-do-
16.	IS 5000 (OD 18) : 1974 Dimensions of semiconductor devices: Device outline OD 18	S.O. 1597 08-05-1976	-do-
17.	IS 5000 (OD 19) : 1974 Dimensions of semiconductor devices: Device outline OD 19	S.O. 1232 03-04-1976	-do-
18.	IS 5000 (OD 20) : 1978 Dimensions of semiconductor devices: Device outline OD 20	S.O. 2584 03-10-1981	-do-

(1)	(2)	(3)	(4)
19.	IS 5000 (OD 21) : 1979 Dimensions of semiconductor devices: Device outline OD 21	S.O. 2584 03-10-1981	Standard is Obsolete
20.	IS 5000 (OD 23) : 1978 Dimensions of semiconductor devices: Device outline OD 23	S.O. 1342 03-04-1982	-do-
21.	IS 5000 (OD 25) : 1978 Dimensions of semiconductor devices: Device outline OD 25	S.O. 1342 03-04-1982	-do-
22.	IS 5000 (OD 26) : 1971 Dimensions of semiconductor devices: Device outline OD 26	S.O. 2584 03-10-1981	-do-
23.	IS 5000 (OD 27) : 1978 Dimensions of semiconductor devices: Device outline OD 27	S.O. 2584 03-10-1981	-do-
24.	IS 5000 (OD 28) : 1978 Dimensions of semiconductor devices: Device outline OD 28	S.O. 2862 10-10-1981	-do-
25.	IS 5000 (OD 29) : 1979 Dimensions of semiconductor devices: Device outline OD 29	S.O. 2362 10-10-1981	-do-
26.	IS 5000 (OD 31) : 1981 Dimensions of semiconductor devices: Device outline OD 31	S.O. No. not available	-do-
27.	IS 5000 (OD 32) : 1981 Dimensions of semiconductor devices: Device outline OD 32	S.O. 1294 30-03-1985	-do-
28.	IS 5000 (OD 33) : 1981 Dimensions of semiconductor devices: Device outline OD 33	S.O. 1294 30-03-1985	-do-
29.	IS 5000 (OD 34) : 1981 Dimensions of semiconductor devices: Device outline OD 34	S.O. 2831 22-06-1985	-do-
30.	IS 5000 (OD 35) : 1981 Dimensions of semiconductor devices: Device outline OD 35	S.O. 1294 30-03-1985	-do-
31.	IS 5000 (OD 36) : 1981 Dimensions of semiconductor devices: Device outline OD 36	S.O. 2148 18-05-1985	-do-
32.	IS 5000 (OD 37) : 1982 Dimensions of semiconductor devices: Device outline OD 37	S.O. 2882 16-08-1986	-do-
33.	IS 5000 (OD 38) : 1984 Dimensions of semiconductor devices: Device outline OD 38	S.O. 0298 31-01-1987	-do-
34.	IS 5000 (OD 39) : 1986 Dimensions of semiconductor devices: Device outline OD 39	S.O. 1424 19-05-1990	-do-

(1)	(2)	(3)	(4)
35.	IS 5000 (OD 40) : 1986 Dimensions of semiconductor devices: Device outline OD 40	S.O. 1424 19-05-1990	Standard is Obsolete
36.	IS 5000 (OD 41) : 1986 Dimensions of semiconductor devices: Device outline OD 41	S.O. 1424 19-05-1990	-do-
37.	IS 5000 (OD 42) : 1986 Dimensions of semiconductor devices: Device outline OD 42	S.O. 1425 19-05-1990	-do-
38.	IS 5000 (OD 43) : 1986 Dimensions of semiconductor devices: Device outline OD 43	S.O. 1424 19-05-1990	-do-
39.	IS 5000 (OD 44) : 1986 Dimensions of semiconductor devices: Device outline OD 44	S.O. 1424 19-05-1990	-do-
40.	IS 5000 (OD 45) : 1986 Dimensions of semiconductor devices: Device outline OD 45	S.O. 1425 19-05-1990	-do-
41.	IS 5000 (OD 46) : 1986 Dimensions of semiconductor devices: Device outline OD 46	S.O. 1537 02-06-1990	-do-
42.	IS 5000 (OD 47) : 1986 Dimensions of semiconductor devices: Device outline OD 47	S.O. 1424 19-05-1990	-do-
43.	IS 5608 (Part 5) : 2002/IEC 189-6(1982) LF Wires and cables with OPVC insulation and PVC sheath : Part 5 Signalling cables (first revision)	S.O. 2900 dt. 14-09-2002	Recommended for withdrawal as the base IEC standard has been withdrawn
44.	IS 5608 (Part 6) : 2002/IEC 189-7 (1971) LF Wires and cables with OPVC insulation and PVC sheath: Part 5 Signalling cables (first revision)	S.O. 1464 dt. 04-05-2002	Recommended for withdrawal as the base IEC standard has been withdrawn
45.	IS 12598 : 1989 Thermoplastic cables for communication, instrumentation and control	S.O. 2136 dt. 11-08-1990	Recommended for withdrawal by LITD 06
46.	IS 13176 : 1991 PVC insulation and sheath of telecommunication cables	S.O. 1707 dt. 27-06-1992	Recommended for withdrawal by LITD 06
47.	IS 15114 : 2002 Information Processing —Modes of operation for a 64 - bit block cipher algorithm	S.O. 2900 dt. 14-09-2002	Recommended for withdrawal as the base standard ISO 8372 : 1987 has been withdrawn
48.	IS 15115 : 2002 Information Technology—Security techniques procedures for registration of Cryptographic algorithms	S.O. 2900 dt. 14-09-2002	Recommended for withdrawal as the base standard ISO /IEC 9979 : 1999 has been withdrawn

[Ref: LITD/G-75]

NARENDRA SINGH, Head (Electronics & IT)

नई दिल्ली, 21 फरवरी, 2011

का.आ. 670.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम सं.	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15377 : 2003 डायरेक्ट-टू-होम सेवाओं के लिये डिजिटल सेट टॉप बॉक्स—विशिष्ट	संशोधन नं 1 सितम्बर, 2010	सितम्बर, 2010

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एल आई टी डी/जी-75]

नरेन्द्र सिंह, प्रमुख (इलेक्ट्रॉनिक्स एवं आई टी)

New Delhi, the 21st February, 2011

S.O. 670.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl.No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 15377 : 2003 Digital Set Top Box for Direct-To-Home (DTH) Services—Specification	Amendment No. 1 September 2010	September 2010

Copy of this Standard/Amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: LITD/G-75]

NARENDRA SINGH, Head (Electronics & IT)

नई दिल्ली, 23 फरवरी, 2011

का.आ. 671.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में तथा अधिसूचना सं. का.आ. 2312 दिनांक 19 अगस्त, 2010 के अतिक्रमण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों का विवरण नीचे अनुसूची में दिया गया है वे स्थापित हो गये हैं :

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस/आईईसी 60079-0 : 2004 विस्फोटी पर्यावरण—सामान्य अपेक्षाएं	आईएस 93346 : 2004/ आईईसी 60079-0 : 2000	1 जुलाई, 2011

(1)	(2)	(3)	(4)
2.	आई एस/आईसी 60079-1 : 2007 विस्फोटी पर्यावरण - ज्वालासह आवरण "d"	आईएस 2148 : 2004/ आईसी 60079-1 : 2001	1 जुलाई, 2011
3.	आई एस/आईसी 60079-7 : 2006 विस्फोटी पर्यावरण - भाग 7 बड़ी सुरक्षा "e"	आईएस 6381 : 2004/ आईसी 60079-7 : 2001	1 जुलाई, 2011
4.	आई एस/आईसी 60079-11 : 2006 विस्फोटी पर्यावरण - भाग 11 आन्तरिक सुरक्षा "i"	आईएस 5780 : 2002/ आईसी 60079-11 : 1999	1 जुलाई, 2011

इन भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी-22/टी-31, टी-45, टी-61, टी-62]

आर. के. त्रेहन, वैज्ञानिक-ई एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 23rd February, 2011

S.O. 671.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, and in supersession of the notification No. S.O. 2312 dated 19 August, 2010, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS/IEC 60079-0:2004 Electrical Apparatus for Explosive Atmospheres—General Requirements	IS 13346:2004/IEC 60079-0:2000	01 July 2011
2.	IS/IEC 60079-1:2007 Electrical Apparatus for Explosive Gas Atmospheres—Flameproof Enclosures "d"	IS 2148:2004/IEC 60079-1:2001	01 July 2011
3.	IS/IEC 60079-7:2006 Electrical Apparatus for Explosive Gas Atmospheres—Increased Safety "e"	IS 6381:2004/IEC 60079-7:2001	01 July 2011
4.	IS/IEC 60079-11:2006 Electrical Apparatus For Explosive Gas Atmospheres—Intrinsic Safety "i"	IS 5780:2002/IEC 60079-11:1999	01 July 2011

Copies of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: ET-22/T-31, T-45, T-61, T-62]

R. K. TREHAN, Scientist-E & Head (Electrotechnical)

कोयला मंत्रालय

नई दिल्ली, 22 फरवरी, 2011

का.आ. 672.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार के कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्यांक का.आ. 1701 तारीख 30 जून, 2010 जो भारत के राजपत्र के भाग II, खण्ड 3, उप-खंड (ii), तारीख 4 जुलाई, 2010 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 282.88 हेक्टर (लगभग) या 698.72 एकड़ (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विहित उक्त भूमि के भाग में कोयला अभिप्राप्त है;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 282.88 हेक्टर (लगभग) या 698.72 एकड़ (लगभग) माप की भूमि और उक्त भूमि में या उस पर के सभी अधिकारों का अर्जन करने की अपने आशय की सूचना देती है।

टिप्पण-1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या ईसीएल/आरजेएमएल/एमओयूजेडए/एनओटीआई/54 तारीख 21 सितम्बर, 2010 को उपायुक्त, जिला गोड्डा (झारखण्ड) के कार्यालय में या कोयला नियंत्रक, I, कार्डसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या निदेशक तकनीकी (प्रचालन), ईस्टर्न कोलफील्ड्स लिमिटेड, सांकटोरिया, डाकघर-दिसैरगढ़, जिला-बर्द्धवान, (पश्चिम बंगाल)-713333 के कार्यालय में किया जा सकता है।

टिप्पण-2 : उक्त अधिनियम की धारा 8 के उपबन्धों की ओर ध्यान आकृष्ट किया जाता है जिसमें निम्नलिखित उपबन्ध हैं :—

अर्जन की बाबत आपत्तियाँ

“8(1) कोई व्यक्ति जो किसी भूमि में, जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण :—

1. इस धारा के अर्थान्तर्गत यह आपत्ति नहीं मानी जाएगी, कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।
2. उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।
3. इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते।”

टिप्पण-3 : केन्द्रीय सरकार ने कोयला नियंत्रक, I, कार्डसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम के अधीन अधिसूचना संख्या का.आ. 2520 तारीख 11 जून, 1983 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

ललमटिया कोल माईनिंग ब्लॉक (सातवौं चरण)

थाना - ललमटिया

जिला - गोड्डा : झारखंड

(रेखांक संख्या ईसीएल/आरजेएमएल/एमओयूजेडए/एनओटीआई/54 तारीख 21 सितम्बर, 2010)

थाना : ललमटिया

जिला: गोड्डा

क्रम सं.	मौजा/ग्राम	ग्राम संख्यांक	क्षेत्र हेक्टर में (लगभग)	क्षेत्र एकड़ में (लगभग)	टिप्पणियां
1	2	3	4	5	6
1.	बसडीहा	47	0.33	0.82	भाग
2.	हरक्खा	50	13.64	33.69	भाग
3.	तालझरी	19	131.59	325.03	भाग
4.	केशगडिया	20	12.40	30.63	भाग
5.	पहाड़पुर	48	71.01	175.39	भाग
6.	भेरण्डा	49	53.91	133.16	भाग
कुल क्षेत्र			282.88	698.72	

निम्नलिखित में अंजित किए जाने वाले प्लॉटों की संख्या :-

1. मौजा बसडीहा :

प्लॉट संख्या :-1

2. मौजा हरक्खा :

प्लॉट संख्या : 780, 954, 955, 956, 957, 958, 959, 960, 967, 968, 969, 970, 971, 972, 973, 1000, 1001, 1005, 1017 भाग, 1024, 1026, 1027, 1034 भाग, 1035 भाग, 1036 भाग, 1037 भाग, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053 भाग 1054, 1055, 1056, 1057, 1058, 1059, 1060.

3. मौजा तालझरी :

प्लॉट संख्या 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476,

477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756.

4. मौजा केशगडिया :

प्लॉट संख्या 18 भाग, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 130, 131, 132, 133, 134, 135, 279, 280, 281, 282.

5. मौजा पहाड़पुर :

प्लॉट संख्या:— 46, 47, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 185, 186, 187, 188, 198, 199, 200, 201, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 593, 594, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 631, 632, 636, 637, 638, 639.

6. मौजा भेरण्डा :

प्लॉट संख्या:— 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 242, 265, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353.

कांयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7(1) के अधीन तलमटिया कोल माईनिंग ब्लॉक (सातवाँ चरण) के अन्तर्गत अधिसूचित किए जाने वाले क्षेत्र का सीमा विवरण।

सीमा विवरण (क 1 से क 20)

(क 1 से क 2) मौजा बड़ा भोड़ा सं. 18 एवं मौजा केशगरिया सं. 20 के सांझा सीमा पर स्थित बिन्दु क1 से शुरू होकर रेखा उपरोक्त सांझा सीमा से होते हुए मौजा केशगरिया सं. 20, तलझारी सं. 19 एवं बड़ा भोड़ा के त्रिसंगम को पार कर पुनः मौजा

बड़ा भोड़ोय सं. 18 एवं तलझारी सं. 19 के साझा सीमा होते हुए मौजा बड़ा भोड़ोय सं. 18, तलझारी 19 एवं बसडीहा सं. 47 के त्रिसंगम पर स्थित बिन्दु क2 पर मिलती है।

- (क 2—क 3) मौजा बड़ा भोड़ोय सं. 18, तलझारी सं. 19 एवं बसडीहा 47 के त्रिसंगम पर स्थित बिन्दु क2 से शुरू होकर मौजा तलझारी सं. 19 एवं बसडीहा सं. 47 के साझा सीमा होते हुए मौजा तलझारी सं. 19, बसडीहा सं. 47 एवं पहाड़पुर सं. 48 के त्रिसंगम पर स्थित बिन्दु क3 पर मिलती है।
- (क 3—क 4) मौजा तलझारी सं. 19, बसडीहा सं. 47 एवं मौजा पहाड़पुर सं. 48 के त्रिसंगम पर स्थित बिन्दु क3 से शुरू होकर मौजा बसडीहा सं. 47 एवं मौजा पहाड़पुर के साझा सीमा होते हुए मौजा बसडीहा सं. 47, पहाड़पुर सं. 48 एवं भेरण्डा सं. 49 के त्रिसंगम पर स्थित बिन्दु क4 पर मिलती है।
- (क 4—क 5) मौजा बसडीहा सं. 47, पहाड़पुर सं. 48 एवं भेरण्डा सं. 49 के त्रिसंगम स्थित बिन्दु क4 से शुरू होकर मौजा बसडीहा सं. 47 एवं भेरण्डा सं. 49 के साझा सीमा होते हुए मौजा बसडीहा सं. 47 एवं भेरण्डा सं. 49 के साझा सीमा पर स्थित बिन्दु क5 पर मिलती है।
- (क 5—क 6) मौजा बसडीहा सं. 47 एवं भेरण्डा सं. 49 के साझा सीमा पर स्थित बिन्दु क5 से शुरू होकर मौजा भेरण्डा सं. 49 एवं बसडीहा सं. 47, के साझा सीमा से शुरू होते हुए बसडीहा सं. 47, भेरण्डा सं. 49 एवं हरक्खा सं. 50 के त्रिसंगम पर स्थित बिन्दु क6 पर मिलती है।
- (क 6—क 7) मौजा बसडीहा सं. 47 भेरण्डा सं. 49 एवं हरक्खा सं. 50 के त्रिसंगम पर स्थित बिन्दु क6 से शुरू होकर मौजा भेरण्डा सं. 49 एवं हरक्खा सं. 50 के साझा सीमा होते हुए मौजा बसडीहा सं. 47 एवं हरक्खा सं. 50 के साझा सीमा स्थित बिन्दु क7 पर मिलती है।
- (क 7—क 8) मौजा बसडीहा सं. 47 एवं हरक्खा सं. 50 के साझा सीमा स्थित बिन्दु क7 से शुरू होकर प्लॉट सं. 1053 को पार कर प्लॉट सं. 1041 के पश्चिमी सीमा होते हुए हरक्खा मौजा सं. 50 के प्लॉट सं. 1039 के दक्षिणी सीमा पर स्थित बिन्दु क8 पर मिलती है।
- (क 8—क 9) मौजा हरक्खा सं. 50 के प्लॉट सं. 1039 के दक्षिणी सीमा पर स्थित बिन्दु क8 से शुरू होकर उसी प्लॉट दक्षिणी सीमा से होते हुए प्लॉट सं. 1037, 1036, 1035, 1034 को पार कर पुनः प्लॉट सं. 1026 एवं 1024 के दक्षिणी सीमा होते हुए प्लॉट सं. 1017 सड़क को पार कर पुनः प्लॉट सं. 960, 959, 958, 957 के दक्षिणी सीमा होते हुए प्लॉट सं. 967 के दक्षिणी पूर्वी सीमा होते हुए, प्लॉट सं. 968 के दक्षिणी सीमा होते हुए प्लॉट सं. 968, 972, 1001 एवं 1002 के संगम पर स्थित बिन्दु क9 पर मिलती है।
- (क 9—क 10) प्लॉट सं. 968, 972, 1001 एवं 1002 के संगम पर स्थित बिन्दु क9 से शुरू होकर, रेखा प्लॉट सं. 1001 के पूर्वी सीमा होते प्लॉट सं. 1005 के पूर्वी दक्षिणी सीमा होते हुए हरक्खा मौजा सं. 50 के प्लॉट सं. 990, 1005 एवं 1006 के संगम पर स्थित बिन्दु क10 पर मिलती है।
- (क 10—क 11) मौजा हरक्खा सं. 50 के प्लॉट सं. 990, 1005, 1006 के संगम स्थित बिन्दु क10 से शुरू होकर रेखा प्लॉट सं. 1000, 1001, 1005 एवं 973 के पश्चिमी सीमा होते हुए हरक्खा मौजा 50 के प्लॉट सं. 973 के उत्तरी सीमा पर स्थित बिन्दु क11 पर मिलती है।
- (क 11—क 12) मौजा हरक्खा सं. 50 के प्लॉट सं. 973 के उत्तरी सीमा पर स्थित बिन्दु क11 से शुरू होकर प्लॉट सं. 973, 956, 955 एवं 954 के उत्तरी सीमा होते हुए प्लॉट सं. 1017 को पार कर प्लॉट सं. 1027 के उत्तरी सीमा होकर प्लॉट सं. 1034 को पार कर प्लॉट 1035, 1036, 1037, 1038, 1043, 780, 1048, 1049, 1050 के उत्तरी सीमा होकर प्लॉट 1054 को पार कर प्लॉट सं. 1060, 1059 के उत्तरी सीमा से होकर मौजा हरक्खा 50 एवं भेरण्डा 49 के साझा सीमा पर स्थित बिन्दु क12 पर मिलती है।
- (क 12—क 13) मौजा हरक्खा सं. 50 एवं भेरण्डा सं. 49 के साझा सीमा पर स्थित बिन्दु पर क12 से शुरू होकर रेखा उक्त मौजा साझा से होते हुए हरक्खा सं. 50 के प्लॉट सं. 1074 के दक्षिणी सीमा स्थित बिन्दु क13 पर मिलती है।
- (क 13—क 14) मौजा हरक्खा सं. 50 के प्लॉट सं. 1074 के दक्षिणी सीमा पर स्थित बिन्दु क13 से शुरू होकर मौजा भेरण्डा सं. 49 के प्लॉट सं. 84 को पार कर प्लॉट 205, 204, 97, 196, 223, 226, 227, 228, 229, 236, 241, 243 एवं 240 के पश्चिमी सीमा से होते हुए भेरण्डा मौजा के प्लॉट सं. 244, 169, 168 के संगम पर स्थित बिन्दु क14 पर मिलती है।

- (क 14—क 15) मौजा भेरण्डा सं. 49 के प्लॉट सं. 244, 169 एवं 168 के संगम पर स्थित बिन्दु पर क14 से शुरू होकर रेखा प्लॉट सं. 168, 257 के पश्चिमी दक्षिणी सीमा होकर, प्लॉट सं. 258 अंश के पश्चिमी सीमा पर प्लॉट सं. 259 अंश के उत्तरी सीमा प्लॉट 261 के उत्तर-पश्चिमी सीमा प्लॉट सं. 262 के पश्चिमी, प्लॉट सं. 263 के पश्चिमी दक्षिणी, प्लॉट सं. 264 अंश के पश्चिमी सीमा 266 के पश्चिमी-दक्षिणी-सीमा होते हुए प्लॉट सं. 269 सड़क को पार कर, मौजा पहाड़पुर सं. 48 के प्लॉट सं. 42, 43 एवं 44 के पश्चिमी सीमा, प्लॉट सं. 44 एवं 45 के दक्षिणी सीमा के प्लॉट सं. 38, 48, 49, 52 एवं 75 के पश्चिमी सीमा से होते हुए प्लॉट सं. 75, 84, 88, 74 के संगम पर स्थित बिन्दु क15 पर मिलती है।
- (क 15—क 16) मौजा पहाड़पुर-48 प्लॉट सं. 75, 84, 88, 74 के संगम स्थित बिन्दु क 15 से शुरू होकर प्लॉट सं. 88, 89, 91, 183, 184, 182, 191 के पश्चिमी सीमा प्लॉट सं. 186, 187, 188 के उत्तरी सीमा प्लॉट सं. 189, 197, 202, 203, 171 के पश्चिमी सीमा से होते हुए प्लॉट सं. 171, 206, 207, 208 के संगम पर स्थित बिन्दु क16 पर मिलती है।
- (क 16—क 17) मौजा पहाड़पुर-48 प्लॉट सं. 171, 206, 207, 208 के संगम पर स्थित बिन्दु क 16 से शुरू होकर रेखा प्लॉट सं. 190, 169 के पश्चिमी सीमा से होते हुए प्लॉट सं. 123 सड़क को पार कर प्लॉट सं. 590 अंश के उत्तरी सीमा प्लॉट सं. 591, 592, 595, 596, 597, 640, 635 के पश्चिमी, प्लॉट सं. 635, 634 के दक्षिणी सीमा, प्लॉट सं. 633, 640 के पश्चिमी, प्लॉट सं. 786, 787 के पश्चिमी प्लॉट सीमा होते हुए मौजा तलझारी-19 के प्लॉट सं. 503, 511, 512, 513 के पश्चिमी सीमा होते हुए प्लॉट सं. 516 को पार कर मौजा तलझारी-19, केशगरिया-20 के सांझा सीमा पर स्थित बिन्दु क 17 पर मिलती है।
- (क 17—क 18) मौजा तलझारी सं. 19 एवं केशगरिया सं. 20 के सांझा सीमा पर स्थित बिन्दु क17 से शुरू होकर, रेखा उक्त मौजा के सांझा सीमा से होते हुए उसी सीमा पर स्थित बिन्दु क18 पर मिलती है।
- (क 18—क 19) मौजा तलझारी सं. 19 एवं केशगरिया सं. 20 के सांझा सीमा पर स्थित बिन्दु क18 से शुरू होकर, केशगरिया प्लॉट सं. 135 के उत्तरी पूर्वी सीमा, प्लॉट सं. 135, 134, 133, 132, 130 के पूर्वी सीमा एवं प्लॉट सं. 130, 131, 117, 104, 103, 282 के दक्षिणी सीमा से होते हुए मौजा तलझारी सं. 19 एवं केशगरिया सं. 20 के सांझा सीमा पर स्थित बिन्दु क19 पर मिलती है।
- (क 19—क 20) मौजा तलझारी सं. 19 एवं केशगरिया सं. 20 के सांझा सीमा पर स्थित बिन्दु क19 से शुरू होकर रेखा उक्त मौजा के सांझा सीमा से होते हुए उसी सीमा पर स्थित बिन्दु क20 पर मिलती है।
- (क 20—क 1) मौजा तलझारी सं. 19 एवं केशगरिया सं. 20 के सांझा सीमा पर स्थित बिन्दु क20 से शुरू होकर रेखा केशगरिया सं. 20 के प्लॉट सं. 18 को पार कर मौजा केशगरिया सं. 20 एवं बड़ा भौड़ा सं. 18 के सांझा सीमा पर स्थित बिन्दु क 1 पर मिलती है।

सीमा विवरण (ख 1 से ख 3)

- (ख 1—ख 2) मौजा लोहिण्डया बाजार सं. 45, हरकखा सं. 50 एवं बसडीहा सं. 47 के त्रिसंगम पर स्थित बिन्दु ख1 से शुरू होकर, रेखा मौजा लोहिण्डया बाजार सं. 45, बसडीहा सं. 47 के सांझा सीमा होते हुए उक्त सांझा सीमा स्थित बिन्दु ख 2 पर मिलती है।
- (ख 2—ख 3) मौजा लोहिण्डया बाजार सं. 45, एवं बसडीहा सं. 47 के सांझा सीमा पर स्थित बिन्दु ख2 से शुरू होकर रेखा बसडीहा सं. 47 के प्लॉट सं. 1 के दक्षिणी सीमा से होकर मौजा बसडीहा सं. 47 हरकखा सं. 50 के सांझा सीमा पर स्थित बिन्दु ख3 पर मिलती है।
- (ख 3—ख 1) मौजा बसडीहा सं. 47 एवं हरकखा सं. 50 के सांझा सीमा स्थित बिन्दु ख3 से शुरू होकर उक्त मौजा के सांझा सीमा से होते हुए मौजा बसडीहा सं. 47 एवं हरकखा सं. 50 एवं लोहिण्डया सं. 45 के त्रिसंगम पर स्थित बिन्दु ख1 पर मिलती है।

[फा. सं. 43015/29/2009-पीआरआईडब्ल्यू -1]

एस. सी. भाटिया, निदेशक

MINISTRY OF COAL

New Delhi, the 22nd February, 2011

S.O. 672.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1701 dated the 30th June, 2010 issued under Sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), and published in the Gazette of India Part - II, Section - 3, Sub-section (ii) dated the 4th July, 2010, the Central Government gave notice of its intention to prospect for coal in 282.88

hectares (approximately) or 698.72 acres (approximately) of the land in the locality specified in the schedule annexed to that notification;

And whereas, the Central Government is satisfied that Coal is obtainable in a part of the said land prescribed in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 282.88 hectares (approximately) or 698.72 acres (approximately) and all rights in or over the said land described in the schedule appended hereto.

Note 1. The plan bearing number ECL/RJML/MOUZA/NOTI/54 dated the 21st September, 2010 of the area covered by this notification may be inspected at the office of the Deputy Commissioner, District Godda (Jharkhand), or at the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or at the office of the Director Technical (Operation), Eastern Coalfields Limited, Sanctoria, P.O. Dishergarh, District-Burdwan (West Bengal) - 713 333.

Note 2. Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows :—

Objection to acquisition :

“8(1) Any persons interested in any land in respect of which a notification under Section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.”

Explanation :—

1. It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.
2. Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under Sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.
3. For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3. The Coal Controller, 1, Council House Street, Kolkata-700001 has been appointed by the Central Government as the competent authority under Section 3 of the said Act, vide Notification number S.O. 2520 dated the 11th June, 1983.

SCHEDULE

Lalmatia Coal Mining Block (Phase VII)

Thana - Lalmatia

District - Godda, Jharkhand

(Plan bearing number ECL/RJML/MOUZA/NOTI/ 54 dated the 21st September, 2010)

Thana : Lalmatia

District : Godda

Sl. No.	Mouza / Village	Village Number	Area in hectares (approximately)	Area in acres (approximately)	Remarks
1	2	3	4	5	6
1.	Bansdiha	47	0.33	0.82	Part
2.	Harakkha	50	13.64	33.69	Part
3.	Taljhari	19	131.59	325.03	Part
4.	Keshgaria	20	12.40	30.63	Part
5.	Paharpur	48	71.01	175.39	Part
6.	Bharanda	49	53.91	133.16	Part
Total Area:			282.88	698.72	

Plot numbers to be acquired in :—

1. Mouza Bansdiha :

Plot numbers:

2. Mouza Harakkha :—1

Plot numbers :—780,954,955,956,957,958,959,960,967,968,969,970,971,972,973, 1000, 1001, 1005, 1017 Part, 1024, 1026, 1027, 1034 Part, 1035 Part, 1036 Part, 1037 Part, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053 Part, 1054, 1055, 1056, 1057, 1058, 1059, 1060.

3. Mouza Taljhari :

Plot numbers :—1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756.

4. Mouza Keshgaria :

Plot numbers:—18 Part, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 130, 131, 132, 133, 134, 135, 279, 280, 281, 282.

5. Mouza Paharpur :

Plot numbers:—46, 47, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 185, 186, 187, 188, 198, 199, 200, 201, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499.

500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 593, 594, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 631, 632, 636, 637, 638, 639.

6. Mouza Bharanda :

Plot numbers:-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 242, 265, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353.

Boundary Description of the area falling under Lalmatia Coal Mining Block (Phase VII) to be notified under Section 7(1) of the CBA (A&D) Act, 1957.

Boundary Description (A1 to A20) :

- A1-A2** Line starts from Point A1 on common boundary of Mouza Bara Bhorai No. 18 and Keshgaria No. 20 Passes through the common boundary of Mouza Bara Bhorai No. 18 and Keshgaria No. 20 crosses the tri-junction pillar of Mouza, Keshgaria No. 20, Taljhari No. 19 and Bara Bhorai No. 18, again passes through the common Mouza boundary of Bara Bhorai No. 18 and Taljhari No. 19 and meets at Point A2 on tri-junction pillar of Mouza Bara Bhorai No. 18, Taljhari No. 19 and Bansdiha No. 47.
- A2-A3** Line starts from Point A2 on tri-junction pillar of Mouza Bara Bhorai No. 18, Taljhari No. 19 and Bansdiha No. 47; passes through the common Mouza Boundary of Taljhari No. 19 and Bansdiha No. 47 and meets at Point No: A3 on tri-junction pillar of Taljhari No. 19, Bansdiha No. 47 and Paharpur No. 48.
- A3-A4** Line starts from Point A3 on tri-junction pillar of Mouza Taljhari No. 19, Bansdiha No. 47 and Paharpur No. 48; passes through the common Mouza boundary of Bansdiha No. 47 and Paharpur No. 48 and meets at Point No. A4 on tri-junction pillar of Mouza Bansdiha No. 47, Paharpur No. 48 and Bharanda No. 49.
- A4-A5** Line starts from Point No. A4 on tri-junction pillar of Mouza Bansdiha No. 47, Paharpur No. 48 and Bharanda No. 49; passes through the common boundary of Bansdiha No. 47 and Bharanda No. 49 ; meets at Point A5 on the common Mouza boundary of Bansdiha No. 47 and Bharanda No. 49.
- A5-A6** Line starts from point A5 on common Mouza boundary of Bansdiha No. 47 and Bharanda No. 49; passes through the common Mouza boundary of Bansdiha No. 47 and Bharanda No. 49 and meets at Point A6 on tri-junction pillar of Mouza Bansdiha No. 47, Bharanda No. 49 and Harrakha No. 50.
- A6-A7** Line starts from point No. A6 on tri-junction Pillar of Mouza Bansdiha No. 47, Bharanda No. 49 and Harrakha No. 50; passes through the common Mouza boundary of Bansdiha No. 47 and Harrakha No. 50; meets at Point No. A7 on common Mouza boundary of Bansdiha No. 47 and Harrakha No. 50.
- A7-A8** Line starts from Point No. A7 on common Mouza boundary of Bansdiha No. 47 and Harrakha No. 50; crosses the road on Plot No. 1053; passes through the western boundary of Plot No. 1041 and meets at Point No. A8 on southern boundary of Plot No. 1039 in Mouza Harrakha No. 50.
- A8-A9** Line starts from Point No. A8 on southern boundary of Plot No. 1039 in Mouza Harrakha No. 50; passes through the southern boundary of Plot No. 1039; crosses the plot No. 1037, 1036, 1035, 1034; again passes through southern boundary of Plot No. 1026, 1024; crosses the road on Plot No. 1017; passes through southern boundary of Plot No. 960, 959, 958, 957; eastern and southern boundary of Plot No. 967, southern boundary of Plot No. 968 and meets at Point No. A9 at the junction of Plot No. 968, 972, 1001 and 1002.

- A9-A10** Line starts from Point No. A9 passes through the eastern boundary of Plot No. 1001; eastern and southern boundary of Plot No. 1005; meets on Point A10 at the junction of Plot No. 990, 1005 and 1006 in Mouza Harrakha No. 50.
- A10-A11** Line starts from Point No. A10; passes through western boundary of Plot No. 1000, 1001, 1005, 973; and meets at Point No. A11 on northern boundary of Plot No. 973 in mouza Harrakha No. 50.
- A11-A12** Line starts from Point No. A11 on Northern boundary of plot No. 973 in mouza Harrakha No. 50; passes through the northern boundary of Plot No. 973, 956, 955, 954; crosses the road on Plot No. 1017; passes through the northern boundary of Plot No. 1027; crosses the Plot No. 1034; passes through the northern boundary of Plot No. 1035, 1036, 1037 1038, 1043, 780, 1048, 1049, 1050; crosses the Plot No. 1054; passes through northern boundary of 1060, 1059; and meets at the Point no. A12 on common mouza boundary of Harrakha No. 50 and Bharanda No. 49.
- A12-A13** Line starts from A12 on the common Mouza boundary of Harrakha No. 50 and Bharanda No. 49; passes through the common Mouza Boundary of Harrakha No. 50 and Bharanda No. 49 and meets at Point No. A13 on southern boundary of Plot No. 1074 of Mouza Harrakha No. 50.
- A13-A14** Line starts from point No. A13 and crosses Plot No. 84 of Mouza Bhiranda No. 49 and passes along western boundary of plot no. 205, 204, 198, 197, 196, 223, 226, 227, 228, 229, 236, 241, 243, 244 and meets at point no. A14 at the junction of plot No. 244, 169, 168 of Mouza Bhiranda No. 49.
- A14-A15** Line starts from A14 and passes along western and southern boundary of Plot No. 168, 257; western boundary (Part) of Plot No. 258, Northern boundary (Part) of Plot No. 259, northern and western boundary of Plot No. 261; western boundary of Plot No. 262; western and southern boundary of Plot No. 263; western boundary (Part) of Plot No. 264; western and southern boundary of Plot No. 266 and crosses the road on Plot No. 269 of Mouza Bhiranda No. 49 and the line enters the Mouza Paharpur No. 48. The line passes along the western boundary of Plot No. 42, 43, 44 and also southern boundary of Plot No. 44 & 45; again passes along the western boundary of Plot No. 38, 48, 49, 52 and 75 of Mouza Paharpur No. 48 and meets the point No. A15 at the junction of Plot Nos. 75, 84, 88 and 74 of Mouza Paharpur No. 48.
- A15-A16** Line starts from the Point No. A15 situated on junction of plot no. 75, 84, 88, 74 of Mouza Paharpur - 48 and passes along the western boundary of Plot No. 88, 89, 91, 184, 183, 182, 191 and again passes along northern boundary of Plot No. 186, 187, 188 and along western boundary of Plot No. 189, 197, 202, 203, 171 and meets at point no. A16 situated on junction of 171, 206, 207, 208.
- A16-A17** Line starts from point no. A16 situated on junction of 171, 206, 207, 208 of Mouza Paharpur --48; passes through the western boundary of plot No. 170, 169 and crosses plot No. 123 (road) and passes through northern boundary of plot No. 590 & western boundary of plot No. 591, 592, 595, 596, 597, 640, 635 and southern boundary of plot No. 635, 634 and western boundary of plot No. 633, 630, and south western boundary of plot No. 786, 787; and again passes through western boundary of plot No. 503, 511, 512, 513, crosses plot No. 516 of Mouza Tajhari-19 and meets at point No. A17 situated on common boundary of Mouza Taljhari-19 and Keshgaria-20.
- A17-A18** The line starts from point A17, passes along the common boundary of Mouza Taljhari No. 19 and Keshgaria No. 20 and meets at Point No. A18 on the common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20
- A18-A19** Line starts from the Point A18 on common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20; passess through north eastern boundary of Plot No. 135, eastern boundary of Plot No. 135, 134, 133, 132, 130 and southern boundary of Plot No. 130, 131, 117, 104, 103, 282; and meets at Point No. A19 on the common Mouza boundary of Keshgaria No. 20 and Taljhari No. 19.
- A19-A20** Line starts from the Point A19 on common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20; passes through the common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20 and meets at Point No. A20 on the common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20.
- A20-A1** Line starts from Point No. A20 on common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20; crosses the Plot No. 18 of Mouza Keshgaria No. 20 and meets at the Point No. A1 on common Mouza boundary of Bara Bhorai No. 18 and Keshgaria No. 20.

Boundary Description (B1 - B3) :

- B1-B2** Line starts from the Point No. B1 on tri-junction pillar of Mouza Lohandia Bazar No. 45, Harrakha No. 50 and Bansdiha No. 47; passes through the common Mouza boundary of Lohandia No. 45 and

Bansdiha No. 47 and meets at the Point No. B2 on common Mouza boundary of Lohandia No. 45 and Bansdiha No. 47.

B2-B3 Line starts from the Point No. B2 on common Mouza boundary of Lohandia No. 45 and Bansdiha No. 47, passes through the southern boundary of Plot No. 1 in Mouza Bansdiha No. 47 meets at point B3 on common boundary of Bansdiha No. 47 and Harrakha No. 50.

B3-B1 Line starts from the Point No. B3 on common Mouza boundary of Bansdiha No. 47 and Harrakha No. 50, Passes through the common Mouza boundary of Bansdiha No. 47 and Harrakha No. 50 meets at the Point No. B1 on tri-junction Pillar of Mouza Bansdiha No. 47, Harrakha No. 50 and Lohandia No. 45.

[F.No. 43015/29/2009-PRIW-I]

S. C. BHATIA, Director

नई दिल्ली, 23 फरवरी, 2011

का.आ. 673.—केन्द्रीय सरकार ने कोयला मंत्रालय धारक क्षेत्र को (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्यांक का.आ. 2109 तारीख 19 अगस्त, 2010 जो भारत के राजपत्र भाग-II, खण्ड 3, उप-खण्ड (ii) तारीख 28 अगस्त, 2010 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि और उस पर के सभी अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 536.551 हेक्टर (लगभग) या 1325.81 एकड़ (लगभग) माप वाली भूमि के सभी अधिकार अर्जित किए जाने चाहिए ;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 536.551 हेक्टर (लगभग) या 1325.81 एकड़ (लगभग) माप वाली भूमि के सभी अधिकार अर्जित किए जाते हैं ।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक संख्या एसईसीएल/बीएसपी/सीजीएम(पीएलजी) भूमि/399, तारीख 15 नवम्बर, 2010 का निरीक्षण कलेक्टर, शहडोल और अनुपपुर (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है ।

अनुसूची

बकही ब्लाक दूसरा विस्तार, सोहागपुर क्षेत्र,
जिला-शहडोल और अनुपपुर (मध्य प्रदेश)

[रेखांक संख्या-एसईसीएल/बीएसपी/सीजीएम(पीएलजी) भूमि/399, तारीख 15 नवम्बर, 2010]

सभी अधिकार :

(क) राजस्व भूमि :-

क्रम सं.	ग्राम का नाम	बन्दोबस्त संख्या	पटवारी हल्का संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणी
1.	बकही	630	103	सोहागपुर	शहडोल	93.512	भाग
2.	बकही	629	47	अनुपपुर	अनुपपुर	416.118	भाग

कुल:- 509.630 हेक्टर (लगभग) या 1259.29 एकड़ (लगभग)

(ख) राजस्व वन भूमि :-

क्रम सं.	ग्राम का नाम	बन्दोबस्त संख्या	पटवारी हल्ला संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणी
1.	बकहो	630	103	सोहागपुर	शहडोल	25.998	भाग
2.	बकही	629	47	अनूपपुर	अनूपपुर	0.923	भाग

कुल:- 26.921 हेक्टर (लगभग) या 66.52 एकड़ (लगभग)

कुल योग (क + ख):- 536.551 हेक्टर (लगभग)

या 1325.81 एकड़ (लगभग)

1. ग्राम बकहो (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :- 100, 101, 103 से 109, 126, 133 से 136, 151, 152(भाग), 153 से 164, 166(भाग), 167(भाग), 168 से 171, 173 से 187, 193 से 215, 241 से 246, 500 से 525, 537 से 539, 550(भाग), 551 से 561, 563 से 568, 570 से 589, 650, 655 से 682, 685 से 694, 706 से 708, 710, 711, 777, 778(भाग), 779(भाग), 780(भाग), 1132(भाग), 1134(भाग), 1135(भाग), 1140, 1141, 1142(भाग), 1167(भाग), 1168(भाग), 1169(भाग), 1170 से 1180, 1182, 1185 से 1190, 1191(भाग), 1192 से 1194, 1195(भाग), 1199, 1202(भाग), 1220(भाग), 1221(भाग), 1222 से 1224, 1225(भाग), 1226(भाग), 1249(भाग), 1250(भाग), 1251 से 1253, 1289, 1292 से 1309, 1310(भाग), 1360(भाग), 650/1401, 678/1402, 101/1414, 105/1417, 205/1418.
2. ग्राम बकही (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :- 2 से 106, 107(भाग), 108, 110(भाग), 113(भाग), 114, 115, 16(भाग), 117(भाग), 119 से 201, 204, 205(भाग), 206(भाग), 207 से 212, 213(भाग), 214, 215, 218 से 404, 405(भाग), 412 से 418, 427 428, 430 से 432, 433(भाग), 434 से 436, 438, 443 से 445, 446, 447, 469, 470(भाग), 473 से 519, 529 से 539, 545, 547 से 549, 555(भाग), 558 से 786, 788 से 790, 792 से 967, 968(भाग), 969 से 999, 1000(भाग), 1001 से 1106, 1107(भाग), 1108, 1109(भाग), 1110 से 1141, 1144 से 1148, 1149(भाग), 1150(भाग), 1151 से 1159, 1160(भाग), 1161(भाग), 1216 से 1222, 1229 से 1245, 1246(भाग), 1247 से 1252, 1253(भाग), 1288(भाग), 1289(भाग), 1290(भाग), 1291(भाग), 1308(भाग), 1310(भाग), 1341, 1344(भाग), 1345(भाग), 1346(भाग), 1347(भाग), 1348(भाग), 1349(भाग), 1350(भाग), 1351(भाग), 1352(भाग), 1353(भाग), 1354(भाग), 1355(भाग), 1356(भाग), 1358(भाग), 1359(भाग), 1360 से 1411, 1412(भाग), 1413, 1414, 1416(भाग), 1418, 1420(भाग), 1421(भाग), 1422(भाग), 1423(भाग), 1424 से 1428, 1429(भाग), 1060/1718, 1414/1720, 1414/1721, 169/1725, 496/1728, 914/1729.

सीमा वर्णन :-

ब्लॉक -1 :

क-ख रेखा, ग्राम बकहो में बिन्दु "क" से आरंभ होती है और प्लॉट संख्यांक 1202, 1169, 1168 से होकर जाती है और बिन्दु "ख" पर मिलती है ।

ख-ग रेखा, प्लॉट संख्यांक 1168 की सीमा से होकर, 1167 से होकर 1171, 1173, 1132 से होकर, 1142 से गुजरकर, 1141, 1140 से होकर 1135 से गुजरती है और 1134 से होकर बिन्दु "ग" पर मिलती है ।

ग-घ रेखा, प्लॉट संख्यांक 1134, 1135 से होकर, 1132 से गुजरकर, 1179, 1180 से होकर जाती है और बिन्दु "घ" पर मिलती है ।

घ-क रेखा प्लॉट संख्यांक 1180, 1174, 1172, 1170 से होकर, 1202 से गुजरती है और आरम्भिक बिन्दु "क" पर मिलती है ।

ब्लॉक -2 :-

ङ-च रेखा, ग्राम बकहो में बिन्दु "ङ" से आरंभ होती है और प्लॉट संख्यांक 1226, 1225, 1221, 1220, 1191 से होकर, 1194 से होकर, 1195 से गुजरकर, 1199 से होकर जाती है और बिन्दु "च" पर मिलती है ।

च-छ रेखा प्लॉट संख्यांक 1199, 1194, 1182, 1185 से होकर जाती है और बिन्दु "छ" पर मिलती है ।

छ-ज रेखा, प्लॉट संख्यांक 1185, 1188, 1251, 1253, 1252 से होकर जाती है और बिन्दु "ज" पर मिलती है ।

ज-ङ रेखा, प्लॉट संख्यांक 1252 से होकर, 1250, 1249 से होकर 1225, 1226 से जाती है और आरम्भिक बिन्दु "ङ" पर मिलती है ।

ब्लॉक- 3 :-

- झ-ज रेखा, ग्राम बकहो में बिन्दु "झ" से आरंभ होती है और प्लॉट संख्यांक 1300, 1299, 1298, 1289, 1292, 1289, 1296, 1293 से होकर, 779 से गुजरती है और बिन्दु "ज" पर मिलती है ।
- ज-ट रेखा, प्लॉट संख्यांक 779 से गुजरती है और ग्राम बकहो-बकही के सम्मिलित सीमा में बिन्दु "ट" पर मिलती है ।
- ट-ठ रेखा, ग्राम बकहो-बकही के सम्मिलित सीमा से होती हुई जाती है और बिन्दु "ठ" पर मिलती है ।
- ठ-झ रेखा, प्लॉट संख्यांक 1360, 1310 से गुजरकर, 1307, 1302, 1301, 1300 से होकर जाती है आरम्भिक और बिन्दु "झ" पर मिलती है ।

ब्लॉक-4 :

- ड-ढ रेखा, ग्राम बकहो में बिन्दु "ड" से आरंभ होती है और प्लॉट संख्यांक 109, 107, 106, 202, 126, 198, 133, 136, 177, 176, 175 से होकर 167, 166 से गुजरकर, 164, 162, 151 से होकर, 152 से गुजरकर, 153, 154, 513, 515, 516, 517, 518, 520, 561, 563, 568 से होकर जाती है और बिन्दु "ढ" पर मिलती है ।
- ढ-ण रेखा, ग्राम बकहो में प्लॉट संख्यांक 568, 567, 570, 571, 580, 666, 668, 669, 670, 672, 673, 674 से होकर, ग्राम बकही के प्लॉट संख्यांक 2, 6, 7, 23, 25, 26, 38, 39, 307, 308, 313, 355, 356, 357, 580, 584, 585, 586, 587, 639, 640, 641, 642, 671, 672, 674, 675, 729, 730, 731, 733, 734, 735, 736, 737, 779, 780, 781, 782 से होकर जाती है और बिन्दु "ण" पर मिलती है ।
- ण-त रेखा, ग्राम बकही में प्लॉट संख्यांक 790, 792, 827, 833, 834, 835, 836, 867, 868, 874, 877, 878, 916, 915, 1729, 914, 917, 919, 920, 921, 922, 923, 924, 1061, 1062, 1063, 1065, 1072, 1073, 1074, 1075, 1079, 1080, 1081, 1083 से होकर जाती है और बिन्दु "त" पर मिलती है ।
- त-थ रेखा, प्लॉट संख्यांक 1083 से होकर, 1160, 1161, 1150, 1149 से गुजरकर, 1148, 1144, 1141, 1217, 1216, 1220, 1221, 1222, 1230, 1229, 1288, 1289, 1290, 1291, 1310, 1308 से होकर जाती है और बिन्दु "थ" पर मिलती है ।
- द-ध रेखा, प्लॉट संख्यांक 1308 से होकर, 1310, 1291, 1290, 1289, 1288 से गुजरकर, 1229, 1231, 1246, 1247 से होकर, 1253, 1109, 1107 से गुजरकर, 1106, 469, 470, 473, 474, 519, 518, 529, 539, 538, 545, 547, 549, 506, 505 से होकर, 555, 968 से गुजरकर, 1011 से होकर, 1000 से गुजरकर, 999 से होकर, 968 से गुजरती है और बिन्दु "ध" पर मिलती है ।
- ध-न रेखा, प्लॉट संख्यांक 558, 418, 416, 415, 414, 412, 399 से गुजरती है और बिन्दु "न" पर मिलती है ।
- न-प रेखा, प्लॉट संख्यांक 400, 401 से होकर, 405 से गुजरकर, 427, 428, 430, 432 से होकर, 433 से गुजरकर, 438, 436, 443, 445, 447, 446 से होकर, 265 से गुजरकर, 219, 218, 215 से होकर, 213, 206, 205 से गुजरकर, 204, 201, 1360 से होकर, 1359 से गुजरकर, 1358 से होकर, 1356, 1355, 1354, 1353, 1352, 1351, 1350, 1349, 1348, 1347, 1346, 1345, 1344 से गुजरकर, 1341, 1330 व 1329 की पश्चिमी सीमा से होकर, 1350 से गुजरकर, 1379 से होकर, 1429 से गुजरकर, 1425, 1424, 1423 से होकर जाती है और बिन्दु "प" पर मिलती है ।
- प-फ रेखा, प्लॉट संख्यांक 1423, 1422, 1421, 1420 से गुजरकर, 1720, 1418, 1414, 1415 से होकर, 1416, 1412 से गुजरकर, 1409, 1408, 119, 120, 132, 133, 134, 135 से होकर जाती है और बिन्दु "फ" पर मिलती है ।
- फ-ब रेखा, ग्राम बकही के प्लॉट संख्यांक 102, 103, 108 से होकर, 110, 113, 116, 117, 107, 1412 से गुजरकर ग्राम बकहो के प्लॉट संख्यांक 780 से गुजरती है और बिन्दु "ब" पर मिलती है ।
- ब-भ रेखा, ग्राम बकहो के प्लॉट संख्यांक 780 से होकर गुजरकर, 768, 769, 770 की दक्षिणी सीमा से होकर, 780, 778 से गुजरकर, 773 की पूर्वी सीमा व 778, 777, 682 की पश्चिमी सीमा से होकर जाती है और बिन्दु "भ" पर मिलती है ।
- भ-म रेखा, प्लॉट संख्यांक 685, 711, 710, 708, 707, 706, 694, 655, 658, 584, 585, 650, 1401, 580, 589, 588 की सीमा से होकर, 550 से गुजरकर, 551, 552, 539, 538, 537, 525, 524, 502, 501, 500, 170, 171, 186, 185, 184, 187, 193, 215, 214, 213 से होकर जाती है और बिन्दु "म" पर मिलती है ।
- म-ड रेखा प्लॉट संख्यांक 213, 242, 241, 246, 100, 107, 104, 103, 109 से होकर जाती है और आरम्भिक बिन्दु "ड" पर मिलती है ।

New Delhi, the 23rd February, 2011

S.O. 673.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 2109 dated the 19th August, 2010, issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated the 28th August, 2010, the Central Government gave notice of its intention to acquire 536.551 hectares or 1325.81 acres land as all rights in or over such lands specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of Section 8 of the said Act has made his report to the Central Government;

And whereas, the Central Government after considering the aforesaid report and after consulting the Government of Madhya Pradesh, is satisfied that the lands measuring 536.551 hectares (approximately) or 1325.81 acres (approximately) as all rights in or over such lands as described in schedule appended hereto, should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the said Act, the Central Government hereby declares that, the land measuring 536.551 hectares (approximately) or 1325.81 acres (approximately) as all rights in or over such lands as described in Schedule are hereby acquired.

The Plan bearing number SECL/BSP/CGM(PLG)/LAND/ 399, dated the 15th November, 2010 of the area covered by this notification may be inspected in the Office of the Collector, Shahdol and Anuppur (Madhya Pradesh) or in the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or in the Office of the South Eastern Coalfield Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhatisgarh).

SCHEDULE

BAKHI BLOCK 2nd EXTENSION, SOHAGPUR AREA District- SHAHDOL and ANUPPUR (Madhya Pradesh)

(Plan bearing number SECL/ BSP/CGM(PLG)/ LAND/ 399, dated the 15th November, 2010)

All Rights:

(A) Revenue Land :

Sl. No.	Name of village	Bandobast number	Patwari halka number	Tahsil	District	Area in hectares	Remarks
1.	2.	3.	4.	5.	6.	7.	8.
1.	Bakho	630	103	Sohagpur	Shahdol	93.512	Part
2.	Bakhi	629	47	Anuppur	Anuppur	416.118	Part

Total :- 509.630 Hectares (Approximately) or 1259.29 Acres (Approximately)

(B) Revenue Forest Land :

Sl. No.	Name of village	Bandobast number	Patwari halka number	Tahsil	District	Area in hectares	Remarks
1.	2.	3.	4.	5.	6.	7.	8.
1.	Bakho	630	103	Sohaopur	Shahdol	25.998	Part
2.	Bakhi	629	47	Anuppur	Anuppur	0.923	Part

Total :- 26.921 Hectares (Approximately) or 66.52 Acres (Approximately)

Grand Total (A + B):- 536.551 Hectares (approximately)
or 1325.81 Acres Approximately).

1. **Plot numbers to be acquired in village Bakho (Part):** 100, 101, 103 to 109, 126, 133 to 136, 151, 152P, 153 to 164, 166P, 167P, 168 to 171, 173 to 187, 193 to 215, 241 to 246, 500 to 525, 537 to 539, 550P, 551 to 561, 563 to 568, 570 to 589, 650, 655 to 682, 685 to 694, 706 to 708, 710, 711, 777, 778P, 779P, 780P, 1132P, 1134, 1135P, 1140, 1141, 1142P, 1167P, 1168P, 1169P, 1170 to 1180, 1182, 1185 to 1190, 1191P, 1192 to 1194, 1195P, 1199, 1202P, 1220P, 1221P, 1222 to 1224, 1225P, 1226P, 1249P, 1250P, 1251 to 1253, 1289, 1292 to 1309, 1310P, 1360P, 650/1401, 678/1402, 101/1414, 105/1417, 205/1418.

2. **Plot numbers to be acquired in village Bakhi (Part):** 2 to 106, 107P, 108, 110P, 113P, 114, 115, 116P, 117P, 119 to 201, 204, 205P, 206P, 207 to 212, 213P, 214, 215, 218 to 404, 405P, 412 to 418, 427, 428, 430 to 432, 433P, 434 to 436, 438, 443 to 445, 446, 447, 469, 470P, 473 to 519, 529 to 539, 545, 547 to 549, 555P, 558 to 786, 788 to 790, 792 to 967, 968P, 969 to 999, 1000P, 1001 to 1106, 1107P, 1108, 1109P, 1110 to 1141, 1144 to 1148, 1149P, 1150P, 1151 to 1159, 1160P, 1161P, 1216 to 1222, 1229 to 1245, 1246P, 1247 to 1252, 1253P, 1288P, 1289P, 1290P, 1291 P, 1308P, 1310P, 1341, 1344P, 1345P, 1346P, 1347P, 1348P, 1349P, 1350P, 1351P, 1352P, 1353P, 1354P, 1355P, 1356P, 1358P, 1359P, 1360 to 1411, 1412P, 1413, 1414, 1416P, 1418, 1420P, 1421P, 1422P, 1423P, 1424 to 1428, 1429P, 1060/1718, 1414/1720, 1414/1721, 169/1725, 496/1728, 914/1729.

Boundary Description:

Block - 1 :

- A-B Line starts from point "A" in village Bakho and passes through plot No. 1202, 1169, 1168 and meets at point 'B'.
- B-C Line passes along boundary of plot No. 1168, through 1167, along 1171, 1173, 1132, through 1142, along 1141, 1140, through 1135, along 1134 and meets at point 'C'.
- C-D Line passes along plot No. 1134, 1135, through 1132, along 1179, 1180 and meets at point 'D'.
- D-A Line passes along plot No. 1180, 1174, 1172, 1170, through 1202 and meets at starting point 'A'.

Block - 2:

- E-F Line starts from point "E" in village Bakho and passes through plot No. 1226, 1225, 1221, 1220, 1191, along 1194, through 1195, along 1199 and meets at point 'F'.
- F-G Line passes along plot No. 1199, 1194, 1182, 1185 and meets at point "G" ..
- G-H Line passes along plot No. 1185, 1188, 1251, 1253, 1252 and meets at point "H".
- H-E Line passes along plot No. 1252, through 1250, 1249, along 1225, 1226 and meets at starting point 'E'.

Block - 3 :

- I-J Line starts from point "T" in village Bakho and passes along plot No. 1300, 1299, 1298, 1289, 1292, 1289, 1296, 1293, through 779 and meets at point 'J'.
- J-K Line passes through plot No. 779 and meets at point "K" on common boundary line of village Bakho-Bakhi.
- K-L Line passes along common boundary line of village Bakho-Bakhi and meets at point "L".
- L-I Line passes through plot no. 1360, 1310, along 1307, 1302, 1301, 1300 and meets at starting point 'I'.

Block 4 :

- M-N Line starts from point "M" in village Bakho and passes along plot No. 109, 107, 106, 202, 126, 198, 133, 136, 177, 176, 175, through 167, 166, along 164, 162, 151, through 152, along 153, 154, 513, 515, 516, 517, 518, 520, 561, 563, 568 and meets at point 'N'.
- N-O Line passes in village Bakho along plot No. 568, 567, 570, 571, 580, 666, 668, 669, 670, 672, 673, 674 then in village Bakhi along plot No. 2, 6, 7, 23, 25, 26, 38, 39, 307, 308, 313, 355, 356, 357, 580, 584, 585, 586, 587, 639, 640, 641, 642, 671, 672, 674, 675, 729, 730, 731, 733, 734, 735, 736, 737, 779, 780, 781, 782 and meets at point 'O'.
- O-P Line passes in village Bakhi along plot No. 790, 792, 827, 833, 834, 835, 836, 867, 868, 874, 877, 878, 916, 915, 1729, 914, 917, 919, 920, 921, 922, 923, 924, 1061, 1062, 1063, 1065, 1072, 1073, 1074, 1075, 1079, 1080, 1081, 1083 and meets at point 'P'.
- P-Q Line passes along plot No. 1083, through 1160, 1161, 1150, 1149, along 1148, 1144, 1141, 1217, 1216, 1220, 1221, 1222, 1230, 1229, 1288, 1289, 1290, 1291, 1310, 1308 and meets at point 'Q'.
- Q-R Line passes along plot No. 1308, through 1310, 1291, 1290, 1289, 1288, along 1229, 1231, 1246, 1247, through 1253, 1109, 1107, along 1106, 469, 470, 473, 474, 519, 518, 529, 539, 538, 545, 547, 549, 506, 505, through 555, 968, along 1011, through 1000, along 999, through 968 and meets at point 'R'.
- R-S Line passes through plot No. 558, 418, 416, 415, 414, 412, 399 and meets at point "S".
- S-T Line passes along plot No. 400, 401, through 405, along 427, 428, 430, 432, through 433, along 438, 436, 443, 445, 447, 446, through 265, along 219, 218, 215, through 213, 206, 205, along 204, 201, 1360, through 1359, along 1358, through 1356, 1355, 1354, 1353, 1352, 1351, 1350, 1349, 1348, 1347, 1346, 1345, 1344, along 1341, western boundary of 1330, 1329, through 1350, along 1379, through 1429, along 1425, 1424, 1423 and meets at point 'T'.

T-U	Line passes through plot no. 1423, 1422, 1421, 1420, along 1720, 1418, 1414, 1415, through 1416, 1412, along 1409, 1408, 119, 120, 132, 133, 134, 135 and meets at point "U".
U-V	Line passes in village Bakhi along plot no. 102, 103, 108, through 110, 113, 116, 117, 107, 1412, in village Bakho 780 and meets at point "V".
V-W	Line passes in village Bakho through plot no. 780, along southern boundary of 768, 769, 770, through 780, 778, along eastern boundary of 773, western boundary of 778, 777, 682 and meets at point "W".
W-X	Line passes in village Bakho along plot no. 685, 711, 710, 708, 707, 706, 694, 655, 658, 584, 585, 650, 1401, 580, 589, 588, through 550, along 551, 552, 539, 538, 537, 525, 524, 502, 501, 500, 170, 171, 186, 185, 184, 187, 193, 215, 214, 213 and meets at point "X".
X-M	Line passes in village Bakho along plot no 213, 242, 241, 246, 100, 107, 104, 103, 109 and meets at starting point "M".

[F.No. 43015/30/2009-PRJW-I]

S. C. BHATIA, Director

नई दिल्ली, 23 फरवरी, 2011

का.आ. 674.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 1440 तारीख 2 जून, 2010 जो भारत के राजपत्र, भाग-II, खण्ड 3, उप-खण्ड (ii) तारीख 5 जून, 2010 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की 722.220 हेक्टेयर (लगभग) या 1784.61 एकड़ (लगभग) भूमि में और उस पर के सभी अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और छत्तीसगढ़ सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 722.220 हेक्टेयर (लगभग) या 1784.61 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार अर्जित किए जाने चाहिए;

अतः, अब, केन्द्रीय सरकार कोयला उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 722.220 हेक्टेयर (लगभग) या 1784.61 एकड़ (लगभग) माप वाली भूमि के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक संख्या एसईसीएल/बीएसपी/सीजीएम (पीएलजी)/लैंड/391 तारीख 6 सितम्बर, 2010 का निरीक्षण, कलेक्टर, कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफिल्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकेगा।

अनुसूची

करतली ईस्ट ब्लॉक, कोरबा क्षेत्र,

जिला-कोरबा (छत्तीसगढ़)

[रेखांक संख्या एसईसीएल/बीएसपी/सीजीएम (पीएलजी)/लैंड/391 तारीख 6 सितम्बर, 2010]

सभी अधिकार :

(क) राजस्व भूमि :

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पण
1	2	3	4	5	6	7	8
1.	करताली	10	78	पाली	कोरबा	39.360	भाग
2.	गणेशपुर	12	अनसर्वेड	पाली	कोरबा	2.323	भाग
3.	पुटा	14	44	पाली	कोरबा	243.230	भाग

1	2	3	4	5	6	7	8
4.	नूनेरा	27	75	पाली	कोरबा	2.270	भाग
5.	उड़ता	14	43	पाली	कोरबा	35.046	भाग

कुल :- 322.229 हेक्टर (लगभग) या 796.23 एकड़ (लगभग)

(ख) राजस्व वन भूमि :

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1	2	3	4	5	6	7	8
1.	करताली	10	78	पाली	कोरबा	80.461	भाग
2.	पुटा	14	44	पाली	कोरबा	204.763	भाग
3.	नूनेरा	27	75	पाली	कोरबा	74.059	भाग
4.	उड़ता	14	43	पाली	कोरबा	40.708	भाग

कुल :- 399.991 हेक्टर (लगभग) या 988.38 एकड़ (लगभग)

कुल योग (क+ख):- 722.220 हेक्टर (लगभग)
या 1784.61 एकड़ (लगभग)

- ग्राम करताली (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :- 125(भाग), 127(भाग), 128 से 144, 145(भाग), 146 से 149, 150(भाग), 197(भाग), 234(भाग), 642(भाग), 643(भाग), 649(भाग), 650 से 673, 674/1, 674/2 ।
- ग्राम गणेशपुर (अनसर्वेड) (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :- 127, 128, 129, 130 ।
- ग्राम पुटा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :- 1/1, 1/2, 1/3, 1/4, 1/5, 1/6, 2 से 9, 10/1, 10/2, 11 से 32, 33(भाग), 34(भाग), 35 से 80, 81/1, 81/2, 82 से 166, 167 (भाग), 168 से 184, 186 से 196, 197(भाग), 198(भाग), 199, 200(भाग), 210/1(भाग), 329(भाग), 330/1(भाग), 330/2, 331, 332(भाग), 337(भाग), 338(भाग), 339(भाग), 346(भाग), 347(भाग), 377(भाग), 384(भाग) ।
- ग्राम नूनेरा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :- 219/8, 220(भाग), 221(भाग), 222 से 224, 225(भाग), 226, 227/2, 227/1(भाग), 228(भाग), 229, 230, 1137(भाग), 1138(भाग) ।
- ग्राम उड़ता (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :- 1(भाग), 2(भाग), 3(भाग), 93(भाग), 94(भाग), 97, 98(भाग), 99, 100(भाग), 102(भाग), 103 से 107, 108(भाग), 109 (भाग), 110, 111/1(भाग), 111/2, 111/3, 111/4, 111/5, 158, 159 ।

सीमा वर्णन :

- क-ख रेखा ग्राम करताली के बिन्दु "क" से आरंभ होती है और प्लॉट संख्या 127, 125, से गुजरकर, ग्राम नूनेरा के 227/1, 221, 225, 220, 228 से गुजरकर, 230 के उत्तरी सीमा से होकर, 228 से गुजरकर बिन्दु "ख" पर मिलती है ।
- ख-ग रेखा, प्लॉट संख्या 228 से गुजरकर ग्राम नूनेरा और पुटा के सम्मिलित सीमा के 'बिन्दु' "ग" पर मिलती है ।
- ग-घ रेखा, ग्राम नूनेरा और पुटा के सम्मिलित सीमा से होकर, ग्राम नूनेरा के प्लॉट संख्या 1137, 1138 से गुजरकर बिन्दु "घ" पर मिलती है ।
- घ-ङ रेखा, ग्राम नूनेरा के प्लॉट संख्या 1138 से गुजरकर ग्राम उरता के । से गुजरकर बिन्दु "ङ" पर मिलती है ।
- ङ-च रेखा, ग्राम उरता के प्लॉट संख्या 3, 2, 1 से गुजरकर ग्राम पुटा के 137 से गुजरकर बिन्दु "च" पर मिलती है ।
- च-छ रेखा, ग्राम नूनेरा के प्लॉट संख्या 137 से गुजरकर ग्राम उरता के 1, 102, 100, 98, 111/1क, 94, 95, 108, 109 से गुजरकर बिन्दु "छ" पर मिलती है ।
- छ-ज रेखा, ग्राम पुटा के प्लॉट संख्या 384, 377, 167, 210/1, 185 से गुजरकर बिन्दु "ज" पर मिलती है ।

(B) Revenue Forest Land :

Sl. No.	Name of Village	Patwari halka number	Village number	Tahsil	District	Area in hectares	Remarks
1	2	3	4	5	6	7	7
1.	Kartali	10	78	Pali	Korba	80.461	Part
2.	Puti	14	44	Pali	Korba	204.763	Part
3.	Nunera	27	75	Pali	Korba	74.059	Part
4.	Urta	14	43	Pali	Korba	40.708	Part

Total :- 399.991 hectares (approximately) or 988.38 acres (approximately)

Grand Total (A+B):- 722.220 hectares (approximately)
or 1784.61 acres (approximately)

1. Plot numbers to be acquired in village Kartali (Part): 125P, 127P, 128 to 144, 145P, 146 to 149, 150P, 197P, 234P, 642P, 643P, 649P, 650 to 673, 674/1, 674/2.
2. Plot numbers to be acquired in village Ganeshpur (Unsurveyed) (Part): 127, 128, 129, 130.
3. Plot numbers to be acquired in village Puti (Part): 1/1, 1/2, 1/3, 1/4, 1/5, 1/6, 2 to 9, 10/1, 10/2, 11 to 32, 33P, 34P, 35 to 80, 81/1, 81/2, 82 to 166, 167P, 168 to 184, 186 to 196, 197P, 198P, 199, 200P, 210/1P, 329P, 330/1 P, 330/2, 331, 332P, 337P, 338P, 339P, 346P, 347P, 377P, 384P.
4. Plot numbers to be acquired in village Nunera (Part): 219/8, 220P, 221 P, 222 to 224, 225P, 226, 227/2, 227/1 P, 228P, 229, 230, 1137P, 1138P.
5. Plot numbers to be acquired in village Urta (Part): 1 P, 2P, 3P, 93P, 94P, 97, 98P, 99, 100P, 102P, 103 to 107, 108P, 109P, 110, 111/1KP, 111/2, 111/3, 111/4, 111/5, 158, 159.

Boundary Description:

- A-B Line starts from point "A" in village Kartali and passes through plot nos. 127, 125, in village Nunera through 227/1, 221, 225, 220, 228, along northern boundary of 230, through 228 and meets at point 'B'.
- B-C Line passes through plot no. 228 and meets common village boundary of Nunera and Puti at point 'C'.
- C-D Line passes along common village boundary of Nunera and Puti, in village Nunera through 1137, 1138 and meets at point 'D'.
- D-E Line in village Nunera passes through plot no. 1138, in village Urta through 1 and meets at point 'E'.
- E-F Line passes in village Urta through plot nos. 3, 2, 1, in village Puti through 137 and meets at point 'F'.
- F-G Line passes in village Nunera through plot no. 137, in village Urta through 1, 102, 100, 98, 111/1K, 94, 95, 108, 109 and meets at point "G".
- G-H Line passes in village Puti through plot nos. 384, 377, 167, 210/1, 185 and meets at point "H".
- H-I Line passes in village Puti along western boundary of plot no. 187, through 210/1, 197, 198, 200, 330/1, 329, 332, 337, 338, 339, 346, 347, 33, 34, in village Ganeshpur along southern boundary of 130, 129, 128, 127 and meets at point "I".
- I-J Line passes in village Kartali along southern boundary of plot no. 668 through 642, 643 649, along western boundary of 650, through 145, 150, 197 and meets at point "J".
- J-A Line passes through 197, 234, 127 and meets at starting point "A".

[F.No. 43015/3/2009-PRIW-1]

S.C. BHATIA, Director

नई दिल्ली, 23 फरवरी, 2011

क्र.आ. 675.—केन्द्रीय सरकार ने कोयला मंत्रालय धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार के कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या क्र.आ. 2644 तारीख 17 सितम्बर, 2009 जो भारत के राजपत्र के भाग-II, खण्ड 3, उपखण्ड (ii) तारीख 26 सितम्बर, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 423.07 हेक्टेयर (लगभग) या 1045.00 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना में उपाबद्ध अनुसूची में विहित की गई उक्त भूमि के भाग में कोयला अभिप्राप्त है ;

अतः अब केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 423.07 हेक्टेयर (लगभग) या 1045.00 एकड़ (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आशय की सूचना देती है ।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या आरईवी/4/2010, तारीख 17 मई, 2010 का निरीक्षण, उपायुक्त चतरा, झारखण्ड के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या महाप्रबंधक (भूमि एवं राजस्व), दरभंगा हाउस, सेन्ट्रल कोलफील्ड्स लिमिटेड, राँची, झारखण्ड या मुख्य महाप्रबंधक, गवेषण विभाग, सेन्ट्रल माइन प्लानिंग एवं डिजाइन इंस्टीट्यूट, गोदवाना पैलेस, कांके रोड, राँची झारखण्ड या मुख्य महाप्रबंधक, पिपरवार क्षेत्र, झारखण्ड के कार्यालय में किया जा सकता है ;

टिप्पण 1:- कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों को ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है :-

अर्जन के बाबत आपत्तियां —

"8(1) कोई व्यक्ति जो किसी भूमि में, जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिनों के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा ।"

स्पष्टीकरण -

- (1) इस धारा के भीतर यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए ।
- (2) उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच, यदि कोई हो, करने के पश्चात् जो यह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़े या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा ।
- (3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकार में हित का दावा करने का हकदार होता, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते ।"

टिप्पण-2 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम की धारा 3 के अधीन भारत के राजपत्र भाग-II, खंड 3, उपखंड (ii) में 11 जून, 1983 में प्रकाशित अधिसूचना सं. का.आ. 2518, तारीख 27 मई 1983 द्वारा समक्ष प्राधिकारी नियुक्त किया है ।

अनुसूची

अशोका वेस्ट कोल माईनिंग ब्लॉक

जिला-चतरा, झारखण्ड

(रेखांक संख्या आरईवी/4/2010, तारीख 17 मई, 2010)

सभी अधिकार :

क्र. सं.	ग्राम का नाम	थाना	ग्राम/थाना संख्या	जिला	क्षेत्र (हेक्टर में)	क्षेत्र (एकड़ में)	टिप्पणियां
1.	सरैया	टंडवा	87/244	चतरा	40.69	100.50	भाग
2.	झुलुंदा	टंडवा	91/248	चतरा	95.14	235.00	भाग
3.	लुकुया	टंडवा	92/249	चतरा	203.44	502.50	भाग
4.	तोरहद	टंडवा	93/250	चतरा	70.34	173.75	भाग
5.	हंजदा	टंडवा	94/251	चतरा	13.46	33.25	भाग
कुल क्षेत्र					423.07	1045.00	

अशोका वेस्ट में अशोका विस्तार परियोजना हेतु अधिग्रहित भूखंडों की विवरणी :

1. ग्राम-सरैया में अर्जित किए जाने वाले प्लॉट संख्या — 113(भाग), 124(भाग), 125, 126, 127, 128(भाग), 129, 131(भाग), 132, 133 ।
2. ग्राम-लुकुआ में अर्जित किए जाने वाले प्लॉट संख्या — 1(भाग), 2, 3, 4, 5(भाग), 6 से 12, 13(भाग), 14 से 113 एवं 114(भाग) ।
3. ग्राम-झुलुंदा में अर्जित किए जाने वाले प्लॉट संख्या — 1(भाग), 2 से 6, 7(भाग), 8(भाग), 43(भाग) 44, 45, 46(भाग), 49(भाग), 50(भाग), 51(भाग), 52(भाग), 53(भाग), 54 से 60, 61(भाग), 62 से 67, 68(भाग), 69 से 73, 74(भाग), 75(भाग), 82(भाग), 83 से 99, 100(भाग), एवं 101(भाग) और 104 ।

4. ग्राम-हेन्जदा में अर्जित किए जाने वाले प्लॉट संख्या — 1(भाग), 2 से 12, 13(भाग), 14(भाग), 15(भाग), 28(भाग), एवं 88(भाग) ।
5. ग्राम-तोरहड में अर्जित किए जाने वाले प्लॉट संख्या — 1(भाग), 2 से 103, 104(भाग), 105(भाग), 106(भाग), 107(भाग), 108, 109, 110, 111(भाग), 114(भाग), 117(भाग), 147(भाग), 149(भाग), 150(भाग), 151, 152, 153, 154, 155, 156, 157, 158(भाग), और 159 ।

सीमा वर्णन :

- क-ख रेखा 'क' से आरम्भ होती है और ग्राम सरैया के प्लॉट संख्या 124 और ग्राम लुकुया के प्लॉट संख्या 1, 5, 13, 114 से गुजरती हुई बिन्दु 'ख' पर मिलती है ।
- ख-ग रेखा ग्राम लुकुया एवं घिरलुंगा, झुलुंदा एवं कोयलारा की सम्मिलित सीमा के साथ गुजरती हुई बिन्दु 'ग' पर मिलती है ।
- ग-घ-ङ रेखा ग्राम झुलुंदा के प्लॉट संख्या- 1, 8, 7, 53 से गुजरती हुई बिन्दु 'ङ' पर मिलती है ।
- ङ-च रेखा ग्राम झुलुंदा के प्लॉट संख्या - 53, 52, 51, 50, 49, 46, 43, 61, 75, 74, 68, 82, 100, 101 एवं ग्राम हेन्जदा के प्लॉट संख्या- 28, 1, 15, 14, 13 एवं 88 से गुजरती है (जो पूर्वोक्त का.आ. 1501, तारीख 26 मई, 1990 द्वारा अशोक ब्लॉक की सम्मिलित सीमा का गठन करती है) और बिन्दु 'च' पर मिलती है ।
- च-छ रेखा ग्राम ठेठांगी और सरैया (जो पूर्वोक्त का.आ. 1501, तारीख 26 मई 1990) और ग्राम हेन्जदा के प्लॉट संख्या-88 और ग्राम तोरहड के प्लॉट संख्या- 158, 147, 149, 150, 117, 114, 105, 104, 106, 107, 111, 117 एवं 01 ठेठांगी एवं सरैया सीमा से गुजरती हुई बिन्दु 'छ' पर मिलती है ।
- छ-क रेखा ग्राम सरैया के प्लॉट संख्या 128, 131, 113, और 124 से (जो पूर्वोक्त का.आ. 1501, तारीख 26 मई 1990 द्वारा अशोक ब्लॉक की सम्मिलित सीमा का निर्माण करती है) गुजरती हुई प्रारंभ बिन्दु 'क' पर मिलती है ।

[फा.सं. 43015/21/2009-पीआरआईडब्ल्यू-1]

एस.सी. भाटिया, निदेशक

New Delhi, the 23rd February, 2011

S.O. 675.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 2644 dated the 17th September, 2009 issued under sub-section (1) of section-4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), and published in the Gazette of India, Part II, Section-3, Sub-section (ii) dated the 26th September, 2009 the Central Government gave notice of its intention to prospect for coal in 423.07 hectares (approximately) or 1045.00 acres (approximately) of the land in the locality specified in the Schedule annexed to that notification;

And, whereas, the Central Government is satisfied that coal is obtainable in the said land prescribed in the Schedules appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7, of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby gives notice of its intention to acquire the land measuring 423.07 hectares (approximately) or 1045.00 acres (approximately) and all rights in and over the said land described in the Schedule appended hereto.

The Plan bearing number Rev / 4 / 2010, dated the 17th May, 2010 of the area covered by this notification can be inspected at the office of the Dy. Commissioner, Chatra, Jharkhand or at the office of the Coal Controller, 1, Council House Street, Kolkata-700 001, or at the Office of the Chief General Manager, Piparwar area Jharkhand or General Manager (Land and Revenue) Central Coalfields Limited, Ranchi, Darbhanga House or Chief General Manager (Exploration) Division Central Mine Planning and Design Institute, Gondwana Place, Kanke Road, Ranchi.

Note 1: Attention is hereby invited to the provisions of section 8 of the said Act which provides as follows:—

Objections to acquisition

"8(1) Any person interested in the land in respect of which a notification under section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation

(1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 2 : The Coal Controller, 1, Council House Street, Kolkata 700 001 has been appointed by the Central Government as the competent authority under Section 3 of the said Act, vide notification number S.O. 2518 dated the 27th May, 1983 published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 11th June, 1983.

SCHEDULE

Ashok West Coal Mining Block District - Chatra, Jharkhand
(Plan bearing number Rev / 4/2010, dated the 17th May, 2010)

ALL RIGHT:

Sl. No.	Name of village	Thana number	Village/ Thana number	Name of District	Area in hectares	Area in acres	Remarks
1.	Saraiya	Tandwa	87/244	Chatra	40.69	100.50	PART
2.	Jhulunda	Tandwa	91/248	Chatra	95.14	235.00	PART
3.	Lukuia	Tandwa	92/249	Chatra	203.44	502.50	PART
4.	Torhad	Tandwa	93/250	Chatra	70.34	173.75	PART
5.	Henjada	Tandwa	94/251	Chatra	13.46	33.25	PART
Total Area:					423.07	1045.00	

Plots for acquisition in Ashok West block for Ashok expansion OCP:

1. **Plot numbers to be acquired in village of Saraiya :** 113 (P), 124 (P), 125, 126, 127, 128 (P), 129, 131 (P), 132 and 133.
2. **Plot numbers to be acquired in village of Lukuia:** 1 (P), 2, 3, 4, 5 (P), 6 to 12, 13 (P), 14 to 113 and 114 (P).
3. **Plot numbers to be acquired in village of Jhulunda :** 1 (P), 2 to 6, 7 (P), 8 (P), 43 (P), 44, 45, 46 (P), 49 (P), 50 (P), 51 (P), 52 (P), 53 (P), 54 to 60, 61 (P), 62 to 67, 68 (P), 69 to 73, 74 (P), 75 (P), 82 (P), 83 to 99, 100 (P), 101 (P), and 104.
4. **Plot numbers to be acquired in village of Henjada :** 1 (P), 2 to 12, 13 (P), 14 (P), 15 (P), 28(P) and 88 (P).
5. **Plot Nos. to be acquired in village of Torhad :** 1(P), 2 to 103, 104 (P), 105 (P), 106 (P), 107 (P), 108, 109, 110, 111 (P), 114(P), 117(P), 147 (P), 149 (P), 150 (P), 151, 152, 153, 154, 155, 156, 157, 158 (P) and 159.

Boundary Description:

- A-B Line start from 'A' and passes through Plot No. 124 in village Saraiya and Plot Nos. 1, 5, 13, 114 in village Lukuia and meets at Point 'B'.
- B-C Line passes through common boundary of villages Lukuia and Chirlonga, Jhulunda and Koilara and meets at point 'C'.
- C-D-E Line passes through Plot Nos. 1, 8, 7, 53 in village Jhulunda at meets at point 'E'.
- E-F Line passes through Plot Nos. 53, 52, 51, 50, 49, 46, 43, 61, 75, 74, 68, 82, 100, 101, in village Jhulunda and Plot No. 28, 1, 15, 14, 13, 88 in village Henjada [which form part common boundary of Ashok Block u/s 9 (i) CBA (A&DE) Act, 1957, vide S.O. No. 1501 dated 26-05-1990] and meets at point 'F'.
- F-G Line passes through plot Nos. 88 in village Henjada and plot nos. 158, 147, 149, 150, 117, 114, 105, 104, 106, 107, 111, 117, 01 in village Torhad common boundary of village Thathangi and Saraiya [which form part common boundary of Ashok West Block u/s 9 (i) CBA (A&D) Act, 1957 vide S.O. No. 1501 dated 26.05.1990] and meets at point 'G'.
- G-A Line passes through plot Nos. 128, 131, 113 & 124 in village Saraiya [which form part common boundary of Ashok Block u/s 9(i) CBA (A& D) Act, 1957 vide S.O. No. 1501 dated 26-05-1990] & meets at starting point 'A'.

[F.No. 43015/21/2009- PRIW-I]

S.C. BHATIA, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 23 फरवरी, 2011

क्र.भा. 676.—केन्द्रीय सरकार स्वीकृत हित में यह आवश्यक प्रतीत होता है कि पंजाब राज्य में रमन मंडी से हरियाणा राज्य में बहादुरगढ़ तक पेट्रोलियम तेल के परिवहन के लिए हिन्दुस्तान मैट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना" के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए:

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाने का प्रस्ताव है उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री प्रहलाद सिंह, (हरियाणा), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, गुरु गोबिन्द सिंह रिफाइनरी उत्पाद निष्क्रमण परियोजना, एस सी एफ नं.-29, सेक्टर-6, बहादुरगढ़-124507, हरियाणा को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : बहादुरगढ़		ज़िला : झज्जर		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. आसीदा	28		588	00	08	81
टोडरान			589	00	06	35

[फा. सं. आर-31015/13/2009-ओ. आर-II]

ए. गोस्वामी, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 23rd February, 2011

S.O. 676.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana for implementation of "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh", should be laid by the Hindustan Petroleum Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the pipeline under the land, to Shri Prahlad Singh, Competent Authority (Haryana), Hindustan Petroleum Corporation Limited, Guru Govind Singh Refinery Product Evacuation Project, SEC No.-29, Sector-6, Market, Bahadurgarh-124507, Haryana.

SCHEDULE

Tehsil : Bahadurgarh		District : Jhajjar		State : Haryana		
Name of Village	Hadbast No.	Mustatil No.	Khasra/Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Asaudha Todran	28		588	00	08	81
			589	00	06	35

[F.No.R-31015/13/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 23 फरवरी, 2011

का.आ. 677.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 2446 दिनांक 10-09-10, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जाएगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी से बठिण्डा (पंजाब राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा “जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बठिण्डा पेट्रोलियम पाइपलाइन” के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील तलवंडी साबो जिला बठिण्डा राज्य पंजाब की भूमि में उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 20-12-2010 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग के अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में निर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : तलवंडी साबो		जिला : भटिंडा		राज्य : पंजाब		
क्रम सं	गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/किला संख्या	क्षेत्रफल	
					हेक्टेयर	एयर वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7) (8)
1.	कोट बख्तू	44		1356	00	13 66

[फा. सं. आर-31015/38/2009-ओ. आर-II]
ए. गोस्वामी, अवर सचिव

New Delhi, the 23rd February, 2011

S.O. 677.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 2446 dated the 10-09-2010, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi to Bathinda in the State of Punjab by the Hindustan Petroleum Corporation Limited for implementing the “GGSR Products Evacuation Project pipeline from Raman Mandi to Bathinda” in Tehsil Talwandi Saboo District Bathinda, in Punjab State;

And whereas, copies of the said gazette notification were made available to the public on 20-12-10.

And whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : Talwandi Saboo		District : Bhatinda		State : Punjab		
S. No.	Name of Village	Hadbast No.	Mustatil No.	Khasra/Killa No.	Area	
					Hectare	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7) (8)
1.	Kot Bakhtu	44		1356	00	13 66

[F. No. R-31015/38/2009-OR-II]
A. GOSWAMI, Under Secy.

नई दिल्ली, 24 फरवरी, 2011

का.आ. 678.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलाएन्स इंडस्ट्रीज लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-बासुदेवपुर-हावड़ा पाइपलाइन बिछाई जानी चाहिए;

और भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध कर दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उपायोग के अधिकार के अर्जन के संबंध में श्री भास्कर त्रिपाठी, सक्षम प्राधिकारी, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, प्रथम मंजिल, फोर्चुन टावर, चन्द्रशेखरपुर, भुवनेश्वर-751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/तहसील/तालुक : सिंगला जिला : बालेश्वर राज्य : ओडिशा

गांव का नाम	सर्वे सं/सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल हेक्टेयर	एयर	सि एयर
(1)	(2)	(3)	(4)	(5)
1) शासनसनबार	249	00	00	10
	247	00	12	39
	246	00	01	50
	248	00	02	24
	245	00	06	19
	244	00	02	66
	157	00	02	40
	158	00	07	87
	159	00	14	31
	160	00	02	24

(1)	(2)	(3)	(4)	(5)
1) शासनसनबार जारी 2007		00	00	36
	164	00	10	40
	163	00	02	13
	167	00	06	90
	1985	00	01	19
	166	00	01	98
	172	00	16	84
	170	00	00	10
	171	00	01	63
	173	00	13	46
	174	00	02	79
	176	00	00	10
	175	00	01	10
	142	00	00	84
	141	00	10	19
	140	00	00	10
	137	00	07	80
	138	00	00	10
	136	00	08	59
	129	00	13	37
	106	00	00	27
	128	00	07	23
	107	00	06	47
	110	00	02	08
	111	00	00	10
	109	00	07	07
	82	00	09	00
	83	00	01	98
	81	00	12	01
	80	00	06	06
	76	00	01	53
	77	00	13	06
2) मसडा	153	00	08	88
	83	00	02	47
	150	00	00	10
	88	00	01	95
	84	00	02	05
	87	00	01	44
	86	00	01	07
	89	00	04	89
	90	00	01	63

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
2) मसडा जारी	92	00	08	25	1) झिकिरिया जारी	112	00	09	29
	98	00	00	50		113	00	02	49
	91	00	04	62		110	00	09	08
	97	00	12	89		109	00	03	85
	95	00	01	11		108	00	16	30
	96	00	08	64		104	00	06	90
	98	00	00	29		100	00	02	82
	99	00	05	85		101	00	09	56
	101	00	00	10		102	00	02	28
	100	00	02	74		103	00	05	43
	63	00	06	62		83	00	00	51
	61	00	00	10		72	00	20	11
	62	00	17	38		75	00	12	13
	58	00	01	69		79	00	01	43
	784	00	04	88		78	00	02	40
	32	00	00	10		76	00	11	51
	35	00	01	19		77	00	09	14
	36	00	00	76		59	00	00	61
	57	00	05	06	मंडल/तेहसिल/	जिला : बालेश्वर	राज्य : ओडिशा		
	37	00	02	10	तालुक : बस्ता				
	38	00	01	20	1) धेनुखोजा	82/106	00	00	15
	56	00	03	21		81/105	00	04	60
	39	00	09	70		80/104	00	04	53
	51	00	04	06		77/101	00	08	75
	50	00	02	50		76/100	00	10	90
	40	00	04	65		73/91	00	14	95
	806	00	00	39		74/98	00	40	47
	45	00	03	28		72/96	00	01	94
	44	00	03	00		71/95	00	00	80
	41	00	05	00		70/94	00	00	18
	42	00	00	82		68/92	00	27	77
	43	00	02	23		सर्वे सं. 68/92			
मंडल/तेहसिल/	जिला : बालेश्वर	राज्य : ओडिशा				और 99/127			
तालुक : रुपसा						के बीच में	00	09	88
1) झिकिरिया	161	00	29	66		99/127	00	07	95
	181	00	12	30		63/86	00	19	33
	182	00	00	10		67/90	00	08	18
	183	00	19	04		66/89	00	08	85
	151	00	09	12		65/88	00	00	22
	153	00	08	96		62/85	00	08	09
	150	00	07	63		61/84	00	20	52
	149	00	04	30		सर्वे सं. 61/84			
	सर्वे सं. 149 और					और 58/81			
	111 के बीच में	00	14	89		के बीच में	00	02	65
	111	00	03	16		58/81	00	00	58

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1) धेनुखोजा—जारी	57/80	00	08	02	2) चंदनपुर—जारी	67	00	01	16
	46/68	00	06	53		35	00	02	22
	42/64	00	10	91		34	00	00	22
	56/79	00	01	37		16/66	00	08	26
	41/63	00	10	81		36	00	08	50
	40/62	00	08	33		37	00	01	56
	10/12	00	11	98		33	00	29	81
	11/13	00	11	25		31	00	00	52
	14/16	00	04	56		32	00	08	71
	15/17	00	01	41		30	00	08	44
	16/18	00	06	17		29	00	05	80
	17/19	00	05	61		27	00	00	10
	18/20	00	10	78		28	00	06	80
	31/53	00	01	35	3) कोरेयिबाटिया	195	00	01	75
	19/21	00	04	76		196	00	13	86
	30/52	00	20	66		197	00	00	11
	27/34	00	07	24		297	00	05	84
	25/31	00	06	67		298	00	09	63
	26/33	00	04	31		296	00	16	36
	35	00	01	86		295	00	01	73
	सर्वे सं. 35 और					536	00	00	12
	गांव सीमा के					308	00	13	46
	बीच में	00	11	55		283	00	15	52
2) चंदनपुर	197	00	00	10		305	00	11	55
	35/93	00	07	92		282	00	02	49
	34/92	00	08	72		306	00	04	34
	33/91	00	12	25		327	00	08	45
	32/90	00	13	57		328	00	01	80
	31/89	00	24	17		329	00	08	73
	30/88	00	19	73		330	00	02	70
	28/86	00	02	50		331	00	08	17
	29/87	00	15	12		332	00	02	88
	22/80	00	21	41		489	00	04	53
	23/81	00	04	62		533	00	07	84
	21/76	00	00	36		486	00	09	22
	20/75	00	00	83		485	00	09	80
	19/74	00	04	96		515	00	11	17
	18/73	00	11	75		484	00	08	94
	17/72	00	10	08		483	00	08	75
	71	00	00	10		482	00	09	44
	69	00	02	05		463	00	08	94
	68	00	01	22		462	00	07	64
						452	00	10	20

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
3) कोरेयिबाटिया-जारी	453	00	05	19	4) कुंडापुर-जारी	1200	00	02	24
	451	00	09	83		1071	00	09	82
	449	00	05	19		1070	00	09	04
	450	00	01	05		1072	00	08	48
	448	00	02	34		1078	00	17	97
	445	00	11	54		1077	00	05	56
	444	00	08	76		1161	00	25	64
	443	00	00	44		1162	00	18	71
	386	00	02	52		1163	00	00	18
	360	00	10	67		1164	00	04	59
	361	00	00	10		1188	00	01	82
	359	00	00	10		1187	00	00	61
	358	00	05	03		1170	00	04	50
	390	00	01	49		1171	00	04	98
	394	00	09	79		1169	00	00	43
	391	00	00	31		1172	00	07	57
	393	00	08	62		1173	00	01	37
	392	00	00	23		1176	00	36	30
	434	00	00	12		1175	00	01	21
	412	00	14	31		1138	00	00	77
	425	00	13	91		1137	00	07	87
	424	00	00	55	5) पलासिया	5	00	28	41
	423	00	32	62		6	00	03	54
	420	00	05	66		9	00	24	05
	418	00	03	29		10	00	00	87
	419	00	12	17		23	00	01	41
4) कुंडापुर	1263	00	16	46		22	00	10	36
	1266	00	03	21		18	00	01	10
	1265	00	12	21		21	00	03	80
	1264	00	00	45		20	00	10	03
	1216	00	00	32		24	00	03	88
	1268	00	08	26		19	00	00	38
	1270	00	00	74		25	00	05	23
	1269	00	12	74		28	00	04	12
	1272	00	06	85		27	00	19	89
	1212	00	04	44		29	00	02	90
	1209	00	18	04		26	00	00	16
	1276	00	00	40		30	00	10	75
	1208	00	09	03		31	00	15	96
	1207	00	08	96		32	00	02	94
	1206	00	08	95		33	00	11	39
	1205	00	04	92	6) झिजिपाडा	1	00	39	57
	1064	00	17	58	7) डुबुलिया	72	00	07	37

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(7) डुबुलिया-जारी	40	00	07	28	(9) गोहिरागाडिया-जारी	193	00	01	32
	41	00	10	02		115/184	00	11	42
	42	00	00	65		192	00	10	79
	194	00	08	01		191	00	00	19
	43	00	05	68		188	00	02	39
	44	00	06	74		187	00	08	36
	45	00	05	38		208	00	07	75
	46	00	04	75		209	00	06	10
	50	00	15	24		244	00	08	65
	49	00	00	10		243	00	05	87
	51	00	06	84		126/217	00	01	43
	57	00	13	83		218	00	07	71
	56	00	23	24		238	00	01	49
	54	00	14	54		232	00	08	17
	55	00	09	77		219	00	22	80
	15	00	00	10		229	00	00	24
	14	00	22	90		228	00	02	31
	13	00	11	79		227	00	08	92
	12	00	07	11		226	00	04	60
	11	00	01	89		221	00	02	97
(8) कांचानिया	4	00	07	81		225	00	18	71
	5	00	00	32	(10) चकराडा	4/4	00	08	12
	3	00	08	28		3/3	00	02	60
	2	00	14	13		1/1	00	09	22
	6	00	02	78		2/2	00	01	55
	7	00	12	38		7/7	00	01	94
	1	00	06	84	(11) बैगणडिहा	42/82	00	02	59
	21	00	09	66		44/84	00	10	61
	22	00	00	74		43/83	00	07	52
	149	00	01	60		45/85	00	10	80
(9) गोहिरागाडिया	177	00	05	08		46/86	00	15	28
	176	00	00	10		37/77	00	01	67
	175	00	02	15		47/87	00	15	10
	174	00	04	33		36/76	00	01	77
	173	00	07	29		35/75	00	26	73
	178	00	07	21		89	00	01	72
	171	00	04	42		70/111	00	41	50
	179	00	07	85		76/117	00	05	06
	180	00	16	06		69/110	00	01	64
	196	00	00	46		75/116	00	05	22
	118/195	00	15	57		74/115	00	08	51
	194	00	10	37		73/114	00	29	61
	113/182	00	00	96		81/152	00	10	63

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(11) बैगणडिहा—जारी	63/104	00	07	13	(12) रेणुपडा—जारी	239	00	14	13
	82/153	00	11	92		276	00	09	11
	83/154	00	22	28		242	00	01	65
	84/155	00	30	00		275	00	06	85
	85/156	00	12	71		243	00	00	24
	131/280	00	10	68		277	00	00	10
	129/278	00	13	12		274	00	03	45
	130/279	00	16	04		273	00	08	49
	127/276	00	03	57		272	00	02	66
	126/275	00	28	87		271	00	00	66
	274	00	02	58		246	00	20	81
	124/272	00	32	71		247	00	02	31
	286	00	02	61		266	00	15	39
	287	00	06	03		265	00	01	45
(12) रेणुपडा	1507	00	09	32		164	00	13	11
	430	00	02	32		262	00	07	77
	433	00	03	26		259	00	12	89
	1510	00	00	96		260	00	00	10
	432	00	07	34		258	00	00	10
	1511	00	00	10	(13) बरडा	74/75	00	01	32
	436	00	05	55		288/800	00	22	95
	431	00	06	60		52/53	00	02	52
	1501	00	01	27		53/54	00	08	70
	428	00	27	96		54/55	00	06	91
	438	00	05	58		55/56	00	07	80
	439	00	00	25		56/57	00	06	32
	427	00	06	36		63/64	00	10	22
	426	00	00	45		62/63	00	05	06
	420	00	33	10		61/62	00	06	67
	419	00	12	61		60/61	00	12	85
	413	00	00	34		59/60	00	00	69
	414	00	27	69		101	00	01	49
	408	00	00	72		118/122	00	02	52
	415	00	02	06		117/121	00	16	84
	407	00	07	78		116/120	00	13	09
	406	00	00	58		115/119	00	06	86
	404	00	14	94		289/801	00	13	65
	402	00	06	48		113/117	00	06	14
	401	00	06	14		112/116	00	15	18
	224	00	24	71	(14) बेगुनिया	4/4	00	04	65
	230	00	28	38		3/3	00	20	82
	231	00	09	07		17/17	00	23	70
	229	00	11	31		16/16	00	01	40
	238	00	10	01					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(14) बेगुनिया-जारी	18/18	00	11	29	(15) नाबदा-जारी	325	00	13	51
	19/19	00	02	07		324	00	08	66
(15) नाबदा	112/170	00	02	55		323	00	08	66
	113/171	00	08	82		322	00	08	82
	114/172	00	08	22		321	00	02	94
	132/190	00	16	29		312	00	01	59
	131/189	00	13	64		313	00	09	93
	130/188	00	20	78		314	00	03	67
	129/187	00	04	19	(16) सोनपुर	508	00	16	37
	192	00	01	29		511	00	06	43
	134/193	00	02	38		512	00	02	56
	140/199	00	04	72	मंडल/तेहसिल/ तालुक : जालेश्वर	जिला : बालेश्वर	राज्य : ओडिशा		
	139/198	00	08	54	(1) कोटसाही	1	00	08	22
	141/200	00	06	38		276	00	01	83
	148/232	00	18	56		265	00	03	90
	140/233	00	02	83		266	00	02	65
	147/231	00	09	28		275	00	04	19
	150/234	00	01	36		273	00	04	00
	146/230	00	02	67		267	00	01	62
	227	00	04	15		268	00	00	79
	226	00	04	58		274	00	08	18
	225	00	02	39		271	00	05	00
	228	00	06	06		272	00	01	16
	224	00	00	10		258	00	03	92
	223	00	04	50		257	00	02	39
	208	00	00	36		150	00	01	37
	209	00	01	10		121	00	00	97
	210	00	01	73		56	00	05	98
	211	00	02	36		59	00	05	09
	222	00	00	84		58	00	05	57
	212	00	03	42		67	00	00	10
	213	00	04	81		61	00	04	99
	219	00	00	94		60	00	03	91
	218	00	02	42		62	00	04	47
	217	00	04	88		63	00	02	98
	216	00	02	21		66	00	00	58
	215	00	04	18		65	00	00	29
	220	00	03	86		64	00	04	46
	298	00	02	09		83	00	06	59
	290	00	07	72		85	00	03	80
	291	00	03	24		84	00	02	24
	308	00	08	96		89	00	01	66
	309	00	02	10		86	00	03	79
						87	00	02	92

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1) कोटसाही-जारी	108	00	02	70	1) कोटसाही-जारी	1692	00	04	94
	88	00	00	39		1694	00	01	17
	100	00	00	10		1693	00	00	50
	109	00	00	21		1689	00	02	92
	107	00	05	19		1690	00	11	98
	101	00	02	23		1684	00	06	68
	106	00	02	18		1688	00	01	15
	104	00	04	06		1683	00	01	77
	102	00	02	03		2563	00	06	31
	103	00	01	42		1682	00	00	29
	1401	00	03	15		1685	00	04	42
	1402	00	01	81		1686	00	02	23
	1400	00	05	71		1679	00	15	08
	1410	00	09	95		1677	00	00	25
	1395	00	05	21		1678	00	05	06
	1398	00	00	10		1640	00	04	54
	1394	00	00	73		1676	00	04	19
	1392	00	00	48		1675	00	01	25
	1396	00	07	16		1674	00	01	33
	1391	00	01	05		1673	00	00	38
	1397	00	00	48		1672	00	12	03
	1387	00	03	63		1670	00	01	40
	1390	00	01	68		1664	00	01	14
	1388	00	01	29		1671	00	04	83
	1367	00	0	38		1665	00	03	43
	1368	00	02	95		1657	00	05	13
	1386	00	05	85		1666	00	06	45
	1385	00	00	57		1656	00	00	50
	1384	00	00	10		1747	00	01	03
	1377	00	08	29		1856	00	00	45
	1376	00	00	10		1855	00	13	30
	1378	00	07	42		1854	00	00	31
	1375	00	01	88		1853	00	02	22
	1374	00	02	73		1857	00	01	48
	1373	00	03	12		1851	00	05	66
	1372	00	02	01		1858	00	01	02
	1697	00	02	51		1850	00	03	38
	1696	00	02	36		1859	00	00	52
	1698	00	03	44		1849	00	08	48
	1699	00	02	27		1848	00	11	11
	1695	00	02	99		1847	00	00	16
	1700	00	02	56		1798	00	01	97
	1691	00	00	30					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) केशपुरा	94	00	00	26	केशपुरा-जारी	403	00	01	25
	21	00	03	08		407	00	00	59
	22	00	03	84		408	00	00	88
	93	00	00	10		409	00	13	84
	23	00	04	42		410	00	07	68
	24	00	04	82		420	00	03	56
	25	00	05	81		411	00	00	10
	26	00	06	56		416	00	01	34
	1385	00	00	10		417	00	04	06
	18	00	00	20		418	00	02	26
	1381	00	00	93		451	00	05	62
	1418	00	06	00		452	00	00	91
	27	00	03	07		453	00	01	06
	16	00	01	17		454	00	01	62
	28	00	09	28		450	00	01	75
	15	00	00	10		455	00	04	19
	14	00	01	11		465	00	08	08
	29	00	05	30		466	00	02	44
	33	00	00	26		467	00	03	89
	34	00	03	14		468	00	05	38
	37	00	02	83		469	00	09	61
	36	00	06	68		471	00	00	10
	35	00	00	78		1375	00	02	69
	67	00	08	75		470	00	00	45
	66	00	10	94	(3) सरसिदा	1078	00	05	39
	65	00	02	58		1079	00	05	12
	57	00	02	58		1080	00	03	41
	56	00	03	66		1076	00	03	16
	58	00	01	30		1081	00	02	50
	59	00	02	56		1075	00	13	95
	64	00	01	35		1082	00	04	47
	60	00	04	35		1074	00	12	82
	52	00	04	55		1073	00	19	72
	1334	00	00	14		1086	00	02	59
	53	00	01	19		1072	00	07	75
	1425	00	01	88		1087	00	23	46
	397	00	03	09		1037	00	02	51
	398	00	13	72		1113	00	00	10
	400	00	00	84		1115	00	01	20
	399	00	00	73		1036	00	14	56
	401	00	00	37		1035	00	14	80
	404	00	00	11		1116	00	10	01
	402	00	01	89		1177	00	05	75

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
सरसिदा-जारी	1118	00	02	49	पारिबेलदा-जारी	216	00	00	10
	1119	00	25	79		214	00	03	29
	1104	00	00	10		249	00	03	61
	1003	00	00	20		219	00	00	88
	1002	00	01	27		223	00	07	06
	698	00	09	15		245	00	01	16
	1120	00	00	32		244	00	02	38
	968	00	04	79		246	00	00	15
	1205	00	06	88		243	00	04	20
	966	00	16	81		247	00	02	64
	1204	00	01	91		248	00	01	83
	965	00	12	54		242	00	18	55
	964	00	07	00		240	00	00	28
	963	00	00	65		554	00	03	48
	962	00	00	47		239	00	03	12
मंडल/तेहसिल/	जिला : बालेश्वर		रज्य : ओडिशा			257	00	00	10
तालुक : रेमुणा						258	00	00	59
(1) पारिबेलदा	गांव सीमा और					238	00	12	45
	सर्वे सं. 535					531	00	01	43
	के बीच में	00	03	78		355	00	00	25
	535	00	03	17		356	00	03	81
	82	00	11	06		359	00	08	05
	83	00	07	43		364	00	00	16
	84	00	00	10		360	00	03	51
	85	00	01	68		363	00	08	36
	174	00	04	45		361	00	07	13
	86	00	06	53		362	00	04	04
	169	00	01	14		348	00	00	28
	87	00	03	49		346	00	02	38
	168	00	03	88		345	00	14	65
	167	00	03	00		344	00	08	27
	166	00	04	22		334	00	00	26
	165	00	00	13		335	00	02	73
	559	00	07	98		337	00	10	04
	160	00	04	96		339	00	04	50
	161	00	02	07		540	00	00	89
	सर्वे सं. 161 और					338	00	06	79
	158 के बीच में	00	05	47		336	00	00	01
	158	00	03	04	(2) मौजपुर	71	00	00	87
	211	00	00	37		70	00	04	98
	157	00	05	97		69	00	00	53
	212	00	04	89		6	00	00	51
	155	00	01	19		100	00	03	66
	213	00	07	63					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
मौजपुर—जारी	5	00	02	25	कल्याणपुर—जारी	841	00	07	35
	4	00	11	59		840	00	08	10
	3	00	00	71		839	00	00	22
	11	00	08	21		844	00	02	14
	10	00	08	39		853	00	00	68
	12	00	02	83		854	00	08	90
	13	00	00	17		855	00	06	37
	14	00	13	31		856	00	04	56
	15	00	00	36		857	00	01	26
(3) कल्याणपुर	167	00	11	68		858	00	36	96
	171	00	04	97		914	00	08	72
	172	00	08	36		970	00	19	13
	173	00	06	98		915	00	24	21
	776	00	05	27		941	00	09	84
	775	00	07	70		942	00	00	20
	777	00	09	06		943	00	00	10
	774	00	02	29		940	00	04	09
	780	00	11	45		937	00	00	43
	782	00	09	98		939	00	05	69
	1026	00	04	42		938	00	07	32
	783	00	03	60		934	00	02	22
	788	00	09	68	मंडल/तेहसिल/ तालुक : वैसिंगा	जिला : मयुरभंज	राज्य : ओडिशा		
	787	00	00	23	(1) डिहापंचपुडली	113	00	22	70
	789	00	02	98		138	00	08	24
	790	00	02	21		114	00	09	02
	792	00	01	64		112	00	08	25
	791	00	08	52		136	00	02	22
	808	00	00	87		127	00	04	08
	807	00	08	96		123	00	02	64
	811	00	16	83		126	00	02	54
	812	00	01	99	(2) चकापंचपुडली	145	00	26	18
	819	00	02	22		195	00	05	16
	818	00	00	10		149	00	00	06
	1028	00	01	02		150	00	07	18
	817	00	08	64		199	00	05	50
	815	00	00	10		169	00	02	83
	816	00	01	43		170	00	05	48
	824	00	00	52		147	00	00	10
	825	00	08	31		125	00	08	22
	826	00	05	94		190	00	00	37
	827	00	00	52		126	00	04	33
	843	00	00	43		113	00	06	24
	842	00	04	51		112	00	11	51

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
चकापंचपुदुली—जारी	111	00	04	62	गडादेउलिया—जारी	1433	00	04	47
	110	00	03	58		1816	00	17	81
	109	00	06	54		1434	00	01	71
	108	00	05	40		1815	00	11	94
	189	00	00	56		1435	00	02	64
	192	00	00	36		1438	00	03	31
	107	00	02	73		1439	00	05	94
	106	00	02	13		1812	00	00	52
	96	00	02	06		1802	00	00	43
	95	00	20	46		1811	00	04	51
	188	00	00	09		2498	00	07	35
	165	00	00	37		1806	00	03	10
	89	00	04	33		1803	00	00	22
	84	00	04	47		1805	00	02	14
	85	00	17	81		1783	00	00	68
	69	00	01	71		2562	00	03	90
	68	00	11	94		1784	00	06	37
	67	00	02	64		2490	00	04	56
(3) गडादेउलिया	1927	00	26	18		1782	00	01	26
	2561	00	05	16		1721	00	36	96
	1926	00	00	10		712	00	03	72
	1929	00	07	18		713	00	19	13
	1930	00	05	50		1780	00	21	62
	1931	00	02	83		714	00	09	84
	1925	00	05	48		715	00	02	59
	2658	00	00	10		722	00	00	20
	1932	00	08	22		723	00	00	10
	1933	00	00	37		724	00	04	09
	1934	00	04	33		721	00	00	43
	1918	00	09	82		720	00	05	09
	2527	00	11	51		725	00	07	32
	1917	00	04	62		726	00	02	22
	1916	00	06	54		644	00	00	10
	1913	00	05	40		643	00	00	26
	2743	00	00	56		641	00	02	73
	1402	00	00	36		सर्वे सं. 641			
	1403	00	02	73		और 550 के			
	1406	00	02	13		बीच में रास्ता	00	10	04
	1407	00	02	06		550	00	04	50
	1903	00	20	46		551	00	00	89
	1820	00	00	10		562	00	06	79
	1408	00	00	37		560	00	00	10
	1409	00	04	33		552	00	31	87

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
गडादेउलिया-जारी	2725	00	00	39	गडादेउलिया-जारी	2554	00	01	30
	559	00	00	19		283	00	13	81
	2714	00	01	98		268	00	01	88
	2615	00	01	14		269	00	14	70
	557	00	04	26		270	00	02	82
	558	00	03	78		272	00	02	12
	556	00	03	26		273	00	28	23
	577	00	02	92		823	00	11	15
	578	00	00	85		2545	00	05	53
	576	00	03	51		2434	00	05	04
	575	00	05	76	(4) कालामा	1	00	06	03
	574	00	04	32		2	00	02	87
सर्वे सं. 574						3	00	02	55
और 608 के						4	00	03	55
बीच में रास्ता	00	00	51			5	00	01	95
608	00	07	02			13	00	00	41
2447	00	02	67		(5) बालियापिटा	295	00	00	21
615	00	04	51			420	00	02	39
613	00	00	18			296	00	00	10
609	00	04	93			310	00	03	51
610	00	01	69			311	00	01	27
611	00	01	53			312	00	02	01
2383	00	07	21			313	00	07	94
2384	00	00	48			315	00	05	12
338	00	04	59			314	00	01	88
337	00	00	24			317	00	00	36
2370	00	02	53			316	00	12	20
326	00	12	67			324	00	07	68
327	00	08	94			325	00	07	93
328	00	01	17			323	00	01	06
329	00	02	08			326	00	02	26
313	00	08	00			329	00	02	26
312	00	00	72			331	00	00	36
314	00	00	09			327	00	00	23
311	00	05	37			328	00	17	41
280	00	07	54			355	00	00	20
281	00	01	55			234	00	12	50
2553	00	00	19			235	00	01	61
303	00	02	32			226	00	01	43
300	00	00	17			227	00	00	63
286	00	07	24			228	00	00	23
282	00	05	04			229	00	08	93
2555	00	00	10			223	00	04	56

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) बालियापिठा—जारी	421	00	03	03	(7) बिस्तनुपुर—जारी	249	00	02	85
	222	00	02	44		575	00	18	23
	220	00	05	84		618	00	00	10
	219	00	02	83		248	00	15	41
	221	00	07	79		250	00	20	98
	436	00	15	13	मंडल/तेहसिल/	जिला : मयुरभंज	राज्य : ओडिशा		
	217	00	23	02	तालुका : रासागोबिंदपुर				
	207	00	00	25	(1) सापागाडिया	गांव सीमा और			
	215	00	07	47		सर्वे सं. 237 के			
	214	00	03	06		बीच में	00	06	63
(6) गणेशचरपुर	116	00	00	16		237	00	01	95
	105	00	25	93		238	00	03	82
	106	00	06	09		239	00	02	69
	107	00	00	90		240	00	03	90
	138	00	08	34		241	00	04	32
	104	00	02	76		242	00	08	29
(7) बिस्तनुपुर	110	00	06	15		243	00	00	39
	107	00	25	43		251	00	32	66
	571	00	03	85		248	00	09	06
	108	00	00	41		249	00	02	75
	105	00	17	97		265	00	13	95
	104	00	08	82		263	00	03	64
	102	00	08	50		264	00	13	87
	635	00	01	33		266	00	07	84
	101	00	08	85		329	00	24	75
	570	00	07	75		330	00	00	59
	564	00	10	72		344	00	04	21
	93	00	15	13		328	00	00	19
	94	00	00	18		326	00	03	14
	91	00	00	43		325	00	23	70
	92	00	01	92		348	00	12	67
	89	00	00	33		349	00	10	15
	90	00	04	05		सर्वे सं. 349 और			
	222	00	05	41		426 के बीच			
	224	00	16	60		में रास्ता	00	01	99
	226	00	14	57		426	00	03	11
	557	00	03	33		425	00	09	41
	225	00	03	39		424	00	14	04
	244	00	01	44		483	00	02	95
	243	00	14	89		421	00	12	54
	562	00	05	03		480	00	01	26
	241	00	14	46		414	00	07	58
	563	00	01	52		420	00	00	01
	605	00	04	03		417	00	11	61
	247	00	00	10		419	00	01	22
						416	00	03	43
						418	00	08	02
					(2) पाइकासाही	1015	00	02	73

[फा. सं. एल.-14014/17/2011-जी.पी.]

के. के. शर्मा, अवर सचिव

New Delhi, the 24th February, 2011

S.O. 678.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East Coast of Andhra Pradesh of M/s. Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebpur—Howrah pipeline should be laid by M/s. Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Bhaskar Tripathy, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharapur, Bhubaneswar -751 023, Orissa State.

SCHEDULE

Mandal/Tehsil/ District : Baleswar State : Orissa
Taluk : Singla

Village	Survey No./ Sub-Division	Area to be acquired for ROU		
		Hec.	Are	C-Are
(1)	(2)	(3)	(4)	(5)
(1) Sasansanbar	249	00	00	10
	247	00	12	39
	246	00	01	50
	248	00	02	24
	245	00	06	19
	244	00	02	66
	157	00	02	40
	158	00	07	87
	159	00	14	31
	160	00	02	24
	2007	00	00	36
	164	00	10	40
	163	00	02	13
	167	00	06	90
	1985	00	01	19

(1)	(2)	(3)	(4)	(5)
(1) Sasansanbar	166	00	01	98
Conid.	172	00	16	84
	170	00	00	10
	171	00	01	63
	173	00	13	46
	174	00	02	79
	176	00	00	10
	175	00	01	10
	142	00	00	84
	141	00	10	19
	140	00	00	10
	137	00	07	80
	138	00	00	10
	136	00	08	59
	129	00	13	37
	106	00	00	27
	128	00	07	23
	107	00	06	47
	110	00	02	08
	111	00	00	10
	109	00	07	07
	82	00	09	00
	83	00	01	98
	81	00	12	01
	80	00	06	05
	76	00	01	53
	77	00	13	06
(2) Masada	153	00	08	88
	83	00	02	47
	150	00	00	10
	88	00	01	95
	84	00	02	05
	87	00	01	44
	86	00	01	07
	89	00	04	89
	90	00	01	63
	92	00	03	25
	93	00	00	50
	91	00	04	62
	97	00	12	89
	95	00	01	11
	96	00	03	64
	98	00	00	29
	99	00	05	85
	101	00	00	10
	100	00	02	74
	63	00	06	62
	61	00	00	10
	62	00	17	38
	58	00	01	69

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) Masada Contd.	784	00	04	88	(1) Dhenukhoja	80/104	00	04	53
	32	00	00	10	Contd.	77/101	00	08	75
	35	00	01	19		76/100	00	10	90
	36	00	00	76		73/97	00	14	95
	57	00	05	06		74/98	00	40	47
	37	00	02	10		72/96	00	01	94
	38	00	01	20		71/95	00	00	80
	56	00	08	21		70/94	00	00	18
	39	00	09	70		68/92	00	27	77
	51	00	04	06		Road bet suy			
	50	00	02	50		no. 68/92 &			
	40	00	04	65		99/127	00	09	88
	806	00	00	39		99/127	00	07	95
	45	00	03	28		63/86	00	19	33
	44	00	03	00		67/90	00	08	18
	41	00	05	00		66/89	00	08	85
	42	00	00	82		65/88	00	00	22
	43	00	02	23		62/85	00	08	09
						61/84	00	20	52
Mandal/Tehsil/ Taluk : Rupsa						Road bet suy			
(1) Jhinkiria	161	00	29	66		no. 61/84 &			
	181	00	12	30		58/81	00	02	66
	182	00	00	10		58/81	00	00	58
	183	00	19	04		57/80	00	03	02
	151	00	09	12		46/68	00	05	53
	153	00	08	96		42/64	00	10	91
	150	00	07	63		56/79	00	01	37
	149	00	04	30		41/63	00	10	81
	In bet suy no.					40/62	00	03	33
	149 & 111	00	14	89		10/12	00	11	98
	111	00	03	16		11/13	00	11	25
	112	00	09	29		14/16	00	04	56
	113	00	02	49		15/17	00	01	41
	110	00	09	08		16/18	00	06	17
	109	00	03	85		17/19	00	05	61
	108	00	16	30		18/20	00	10	78
	104	00	06	90		31/53	00	01	35
	100	00	02	82		19/21	00	04	76
	101	00	09	56		30/52	00	20	65
	102	00	02	28		27/34	00	07	24
	103	00	05	43		25/31	00	06	67
	83	00	00	51		26/33	00	04	31
	72	00	20	11		35	00	01	86
	75	00	12	13		Nala bet suy			
	79	00	01	43		no. 35 & VB	00	11	55
	78	00	02	40	(2) Chandanpur	197	00	00	10
	76	00	11	51		35/93	00	07	92
	77	00	09	14		34/92	00	08	72
	59	00	00	61		33/91	00	12	25
Mandal/Tehsil/ Taluk : Basta									
(1) Dhenukhoja	82/106	00	00	15					
	81/105	00	04	60					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) Chandanpur	32/90	00	13	57	(3) Koreibatia	485	00	09	80
Contd.	31/89	00	24	17	Contd.	515	00	11	17
	30/88	00	19	73		484	00	03	94
	28/86	00	02	50		483	00	08	75
	29/87	00	15	12		482	00	09	44
	22/80	00	21	41		463	00	03	94
	23/81	00	04	62		462	00	07	64
	21/76	00	00	36		452	00	10	20
	20/75	00	00	83		453	00	05	19
	19/74	00	04	96		451	00	09	83
	18/73	00	11	75		449	00	05	19
	17/72	00	10	03		450	00	01	05
	71	00	00	10		448	00	02	34
	69	00	02	05		445	00	11	54
	68	00	01	22		444	00	08	76
	67	00	01	16		443	00	00	44
	35	00	02	22		386	00	02	52
	34	00	00	22		360	00	10	67
	16/66	00	08	26		361	00	00	10
	36	00	03	50		359	00	00	10
	37	00	01	56		358	00	05	03
	33	00	29	81		390	00	01	49
	31	00	00	52		394	00	09	79
	32	00	03	71		391	00	00	31
	30	00	03	44		393	00	08	62
	29	00	05	80		392	00	00	23
	27	00	00	10		434	00	00	12
	28	00	06	80		412	00	14	31
(3) Koreibatia	195	00	01	75		425	00	13	91
	196	00	13	86		424	00	00	55
	197	00	00	11		423	00	32	62
	297	00	05	84		420	00	05	66
	298	00	09	63		418	00	03	29
	296	00	16	36		419	00	12	17
	295	00	01	73	(4) Kundapur	1263	00	16	46
	536	00	00	12		1266	00	03	21
	303	00	13	46		1265	00	12	21
	283	00	15	52		1264	00	00	45
	305	00	11	55		1216	00	00	32
	282	00	02	49		1268	00	08	26
	306	00	04	34		1270	00	00	74
	327	00	03	45		1269	00	12	74
	328	00	01	80		1272	00	06	85
	329	00	03	73		1212	00	04	44
	330	00	02	70		1209	00	18	04
	331	00	03	17		1276	00	00	40
	332	00	02	88		1208	00	09	03
	489	00	04	53		1207	00	08	96
	533	00	07	84		1206	00	08	95
	486	00	09	22		1205	00	04	92

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(4) Kundapur Contd.	1064 1200 1071 1070 1072 1078 1077 1161 1162 1163 1164 1188 1187 1170 1171 1169 1172 1173 1176 1175 1138 1137	00 00	17 02 09 09 08 17 05 25 18 00 04 01 00 04 04 00 07 01 36 01 00 07	58 24 82 04 48 97 56 64 71 18 59 82 61 50 98 43 57 37 30 21 77 87	(7) Dubulia Contd.	44 45 46 50 49 51 57 56 54 55 15 14 13 12 11	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	06 05 04 15 00 06 13 23 14 09 00 22 11 07 01	74 38 75 24 10 84 83 24 54 77 10 90 79 11 89
(5) Palasia	5 6 9 10 23 22 18 21 20 24 19 25 28 27 29 26 30 31 32 33	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	28 03 24 00 01 10 01 03 10 03 00 05 04 19 02 00 10 15 02 11	41 54 05 87 41 36 10 80 03 88 38 23 12 89 90 16 75 96 94 39	(8) Kanchania	4 5 3 2 6 7 1	00 00 00 00 00 00 00	07 00 03 14 02 12 06	81 32 28 13 78 36 84
(6) Jhinjipara	1	00	39	57	(9) Gohiragarua	177 176 175 174 173 178 171 179 180 196 118/195 194 113/182 193 115/184 192 191 188 187 208 209 244 243 126/217	00 00	05 00 02 04 07 07 04 07 16 00 15 10 00 11 10 00 02 08 07 06 08 05 01	08 10 15 33 29 21 42 85 06 46 57 37 96 32 42 79 19 39 36 75 10 65 87 43
(7) Dubulia	72 40 41 42 194 43	00 00 00 00 00 00	07 07 10 00 03 05	37 28 02 65 01 68					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(9) Gohiragaria	218	00	07	71	(12) Renupada	432	00	07	34
Contd.	238	00	01	49	Contd.	1511	00	00	10
	232	00	03	17		436	00	05	55
	219	00	22	80		431	00	06	60
	229	00	00	24		1501	00	01	27
	228	00	02	31		428	00	27	96
	227	00	03	92		438	00	05	58
	226	00	04	60		439	00	00	25
	221	00	02	97		427	00	06	36
	225	00	18	71		426	00	00	45
(10) Chakrara	4/4	00	03	12		420	00	33	10
	3/3	00	02	60		419	00	12	61
	1/1	00	09	22		413	00	00	34
	2/2	00	01	55		414	00	27	69
	7/7	00	01	94		408	00	00	72
(11) Baigandiha	42/82	00	02	59		415	00	02	06
	44/84	00	10	61		407	00	07	78
	43/83	00	07	52		406	00	00	58
	45/85	00	10	80		404	00	14	94
	46/86	00	15	28		402	00	06	48
	37/77	00	01	67		401	00	06	14
	47/87	00	15	10		224	00	24	71
	36/76	00	01	77		230	00	28	38
	35/75	00	26	73		231	00	09	07
	89	00	01	72		229	00	11	31
	70/111	00	11	50		238	00	10	01
	76/117	00	05	06		239	00	14	13
	69/110	00	01	64		276	00	09	11
	75/116	00	05	22		242	00	01	65
	74/115	00	03	51		275	00	05	85
	73/114	00	29	61		243	00	00	24
	81/152	00	10	63		277	00	00	10
	63/104	00	07	13		274	00	03	45
	82/153	00	11	92		273	00	08	49
	83/154	00	22	28		272	00	02	66
	84/155	00	30	00		271	00	00	66
	85/156	00	12	71		246	00	20	81
	131/280	00	10	68		247	00	02	31
	129/278	00	13	12		266	00	15	39
	130/279	00	16	04		265	00	01	45
	127/276	00	03	57		264	00	13	11
	126/275	00	28	87		262	00	07	77
	274	00	02	58		259	00	12	59
	124/272	00	32	71		260	00	00	10
	286	00	02	61		258	00	00	10
	287	00	05	03	(13) Barada	74/75	00	01	32
(12) Renupada	1507	00	09	32		288/800	00	22	93
	430	00	02	32		52/53	00	02	52
	433	00	03	26		53/54	00	08	79
	1510	00	00	95					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(13) Barada Contd.	54/55	00	05	91	(15) Nabda Contd.	222	00	00	84
	55/56	00	07	50		212	00	03	42
	56/57	00	06	32		213	00	04	81
	63/64	00	10	22		219	00	00	94
	62/63	00	05	06		218	00	02	42
	61/62	00	06	67		217	00	04	88
	60/61	00	12	85		216	00	02	21
	59/60	00	00	69		215	00	04	18
	101	00	01	49		220	00	03	86
	118/122	00	02	52		298	00	02	00
	117/121	00	16	84		290	00	07	72
	116/120	00	13	09		291	00	03	24
	115/119	00	06	86		308	00	08	96
	289/801	00	13	65		309	00	02	10
	113/117	00	06	14		325	00	13	51
	112/116	00	15	18		324	00	03	66
(14) Begunia	4/4	00	04	65		323	00	03	66
	3/3	00	20	82		322	00	03	82
	17/17	00	23	70		321	00	02	94
	16/16	00	01	40		312	00	01	59
	18/18	00	11	29		313	00	09	93
	19/19	00	02	07		314	00	03	67
(15) Nabda	112/170	00	02	55	(16) Sonpur	508	00	16	37
	113/171	00	08	82		511	00	06	43
	114/172	00	03	22		512	00	02	56
	132/190	00	16	29	Mandal/Tehsil/ Taluk : Jaleswar				
	131/189	00	13	64	(1) Kotsahi	1	00	08	22
	130/188	00	20	78		276	00	01	83
	129/187	00	04	19		265	00	03	90
	192	00	01	29		266	00	02	65
	134/193	00	02	38		275	00	04	19
	140/199	00	04	72		273	00	04	01
	139/198	00	03	54		267	00	01	62
	141/200	00	06	38		268	00	00	70
	148/232	00	18	56		274	00	08	18
	140/233	00	02	83		271	00	05	00
	147/231	00	09	28		272	00	01	16
	150/234	00	01	36		258	00	03	92
	146/230	00	02	67		257	00	02	39
	227	00	04	15		150	00	01	37
	226	00	04	58		121	00	00	97
	225	00	02	39		56	00	05	98
	228	00	06	06		59	00	05	09
	224	00	00	10		58	00	05	57
	223	00	04	50		67	00	00	10
	208	00	00	36		61	00	04	99
	209	00	01	10		60	00	03	91
	210	00	01	73		62	00	04	47
	211	00	02	36		63	00	02	98
						66	00	00	58

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(1) Kotsahi Contd.	65	00	00	29	(1) Kotsahi Contd.	1691	00	00	30
	64	00	04	46		1692	00	04	94
	83	00	06	59		1694	00	01	17
	85	00	03	80		1693	00	00	50
	84	00	02	24		1689	00	02	92
	89	00	01	66		1690	00	11	98
	86	00	03	79		1684	00	06	68
	87	00	02	92		1688	00	01	15
	108	00	02	70		1683	00	01	77
	88	00	00	39		2563	00	06	31
	100	00	00	10		1682	00	00	29
	109	00	00	21		1685	00	04	42
	107	00	05	19		1686	00	02	23
	101	00	02	23		1679	00	15	08
	106	00	02	18		1677	00	00	25
	104	00	04	06		1678	00	05	06
	102	00	02	03		1640	00	04	54
	103	00	01	42		1676	00	04	19
	1401	00	03	15		1675	00	01	25
	1402	00	01	81		1674	00	01	33
	1400	00	05	71		1673	00	00	38
	1410	00	09	95		1672	00	12	03
	1395	00	05	21		1670	00	01	40
	1398	00	00	10		1664	00	01	14
	1394	00	00	73		1671	00	04	88
	1392	00	00	48		1665	00	03	43
	1396	00	07	16		1657	00	05	13
	1391	00	01	05		1666	00	06	45
	1397	00	00	48		1656	00	00	50
	1387	00	03	63		1747	00	01	03
	1390	00	01	68		1856	00	00	45
	1388	00	01	29		1855	00	13	30
	1367	00	0	38		1854	00	00	31
	1368	00	02	95		1853	00	02	22
	1386	00	05	85		1857	00	01	48
	1385	00	00	57		1851	00	05	66
	1384	00	00	10		1858	00	01	02
	1377	00	08	29		1850	00	03	38
	1376	00	00	10		1859	00	00	52
	1378	00	07	42		1849	00	08	48
	1375	00	01	88		1848	00	11	11
	1374	00	02	73		1847	00	00	16
	1373	00	03	12		1798	00	01	97
	1372	00	02	01	(2) Kespura	94	00	00	26
	1697	00	02	51		21	00	03	08
	1696	00	02	36		22	00	03	84
	1698	00	03	44		93	00	00	10
	1699	00	02	27		23	00	04	42
	1695	00	02	99		24	00	04	82
	1700	00	02	56					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) Kespura Contd.	25	00	05	81	(2) Kespura Contd.	450	00	01	75
	26	00	06	56		455	00	04	19
	1385	00	00	10		465	00	08	08
	18	00	00	20		466	00	52	44
	1381	00	00	93		467	00	05	89
	1418	00	06	00		468	00	05	38
	27	00	03	07		469	00	09	01
	16	00	01	17		471	00	00	10
	28	00	09	28		1375	00	02	09
	15	00	00	10		470	00	00	45
	14	00	01	11	(3) Sarsida	1078	00	05	09
	29	00	05	30		1079	00	05	12
	33	00	00	26		1080	00	07	41
	34	00	03	14		1076	00	03	76
	37	00	02	83		1081	00	02	50
	36	00	06	68		1075	00	13	95
	35	00	00	78		1082	00	04	17
	67	00	08	75		1074	00	12	32
	66	00	10	94		1073	00	19	72
	65	00	02	58		1086	00	02	59
	57	00	02	58		1072	00	09	75
	56	00	03	66		1087	00	23	45
	58	00	01	30		1037	00	02	51
	59	00	02	56		1113	00	00	10
	64	00	01	35		1115	00	01	70
	60	00	04	35		1036	00	14	86
	52	00	04	55		1035	00	14	80
	1334	00	00	14		1116	00	10	01
	53	00	01	19		1177	00	05	75
	1425	00	01	88		1118	00	02	40
	397	00	03	09		1119	00	25	79
	398	00	13	72		1104	00	00	10
	400	00	00	84		1003	00	00	20
	399	00	00	73		1002	00	01	27
	401	00	00	37		698	00	09	15
	404	00	00	11		1120	00	00	32
	402	00	01	89		968	00	04	79
	403	00	01	25		1205	00	06	88
	407	00	00	59		966	00	16	81
	408	00	00	88		1204	00	01	91
	409	00	13	84		965	00	12	54
	410	00	07	68		964	00	07	00
	420	00	03	56		963	00	00	65
	411	00	00	10		962	00	00	47
	416	00	01	34	Mandal/Tehsil/ Taluk : Remuna	District : Baleshwar	State : Orissa		
	417	00	04	06	(1) Paribelda	Nala bet VB			
	418	00	02	26		& suy no. 535	00	03	78
	451	00	05	62		535	00	03	17
	452	00	00	91		82	00	11	06
	453	00	01	06		83	00	07	43
	454	00	01	62		84	00	00	10
						85	00	01	68

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(1) Paribelda Contd	174	00	04	45	(1) Paribelda Contd.	335	00	02	73
	86	00	06	53		337	00	10	04
	169	00	01	14		339	00	04	50
	87	00	03	49		540	00	00	89
	168	00	03	88		338	00	06	79
	167	00	03	00		336	00	00	01
	166	00	04	22	(2) Maujpur	71	00	00	87
	165	00	00	13		70	00	04	98
	559	00	07	98		69	00	00	53
	160	00	04	96		6	00	00	51
	161	00	02	07		100	00	03	66
In bet suy no.						5	00	02	25
161 & 158	00	05	47			4	00	11	59
158	00	03	04			3	00	00	71
211	00	00	37			11	00	03	21
157	00	05	97			10	00	03	39
212	00	04	89			12	00	02	83
155	00	01	19			13	00	00	17
213	00	07	63			14	00	13	31
216	00	00	10			15	00	00	36
214	00	03	29		(3) Kalyan pur	167	00	11	68
249	00	03	61			171	00	04	97
219	00	00	88			172	00	08	36
223	00	07	06			173	00	06	93
245	00	01	16			776	00	05	27
244	00	02	38			775	00	07	70
246	00	00	15			777	00	09	06
243	00	04	20			774	00	02	29
247	00	02	64			780	00	11	45
248	00	01	83			782	00	09	93
242	00	18	55			1026	00	04	42
240	00	00	28			783	00	03	60
554	00	03	48			788	00	09	68
239	00	03	12			787	00	00	23
257	00	00	10			789	00	02	93
258	00	00	99			790	00	02	21
238	00	12	45			792	00	01	64
531	00	01	43			791	00	03	52
355	00	00	25			808	00	00	87
356	00	03	81			807	00	03	96
359	00	08	06			811	00	16	83
364	00	00	16			812	00	01	99
360	00	03	51			819	00	02	22
363	00	08	36			818	00	00	10
361	00	07	13			1028	00	01	02
362	00	04	04			817	00	03	64
348	00	00	28			815	00	00	10
346	00	02	38			816	00	01	43
345	00	14	65			824	00	00	52
344	00	08	27			825	00	03	31
334	00	00	26						

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) Kalyan pur	826	00	05	94	(2) Chakapanchuputali	192	00	00	36
Contd.	827	00	00	52	Contd.	107	00	02	73
	843	00	00	43		106	00	02	13
	842	00	04	51		96	00	02	06
	841	00	07	35		95	00	20	46
	840	00	03	10		188	00	00	09
	839	00	00	22		165	00	00	37
	844	00	02	14		89	00	04	33
	853	00	00	68		84	00	04	47
	854	00	03	90		85	00	17	81
	855	00	06	37		69	00	01	71
	856	00	04	56		68	00	11	94
	857	00	01	26		67	00	02	64
	858	00	36	96	(3) Gadadenuia	1927	00	26	18
	914	00	08	72		2561	00	05	16
	970	00	19	13		1926	00	00	10
	915	00	24	21		1929	00	07	18
	941	00	09	84		1930	00	05	50
	942	00	00	21		1931	00	02	83
	943	00	00	10		1925	00	05	48
	940	00	04	09		2658	00	00	10
	937	00	00	43		1932	00	08	22
	939	00	05	69		1933	00	00	37
	938	00	07	32		1934	00	04	33
	934	00	02	22		1918	00	09	82
Mandal/Tehsil/	District : Mayurbhanj			State : Orissa		2527	00	11	51
Taluk : Baisinga						1917	00	04	62
(1) Dihapanchaputuli	113	00	22	70		1916	00	06	54
	138	00	03	24		1913	00	05	40
	114	00	09	02		2743	00	00	56
	112	00	03	25		1402	00	00	36
	136	00	02	22		1403	00	02	73
	127	00	04	08		1406	00	02	13
	123	00	02	64		1407	00	02	06
	126	00	02	54		1903	00	20	46
(2) Chakapanchuputali	145	00	26	18		1820	00	00	10
	195	00	05	16		1408	00	00	37
	149	00	00	06		1409	00	04	33
	150	00	07	18		1433	00	04	47
	199	00	05	50		1816	00	17	81
	169	00	02	83		1434	00	01	71
	170	00	05	48		1815	00	11	94
	147	00	00	10		1435	00	02	64
	125	00	08	22		1438	00	03	31
	190	00	00	37		1439	00	05	94
	126	00	04	33		1812	00	00	52
	113	00	06	24		1802	00	00	43
	112	00	11	51		1811	00	04	51
	111	00	04	62		2498	00	07	35
	110	00	03	58		1806	00	03	10
	109	00	06	54		1803	00	00	22
	108	00	05	40					
	189	00	00	56					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) Gadadeulia	1805	00	02	14	(3) Gadadeulia	2384	00	00	48
Contd.	1783	00	00	68	Contd.	338	00	04	59
	2562	00	08	90		337	00	00	24
	1784	00	06	37		2370	00	02	53
	2490	00	04	56		326	00	12	67
	1782	00	01	26		327	00	08	94
	1721	00	36	96		328	00	01	17
	712	00	08	72		329	00	02	08
	713	00	19	13		313	00	08	00
	1780	00	21	62		312	00	00	72
	714	00	09	84		314	00	00	09
	715	00	02	59		311	00	05	37
	722	00	00	20		280	00	07	54
	723	00	00	10		281	00	01	55
	724	00	04	09		2553	00	00	19
	721	00	00	43		303	00	02	32
	720	00	05	69		300	00	00	17
	725	00	07	32		286	00	07	24
	726	00	02	22		282	00	05	04
	644	00	00	10		2555	00	00	10
	643	00	00	26		2554	00	01	30
	641	00	02	73		283	00	13	81
Road bet suy						268	00	01	88
no. 641 & 550	00	10	04			269	00	14	70
550	00	04	50			270	00	02	82
551	00	00	89			272	00	02	12
562	00	06	79			273	00	28	23
560	00	00	10			823	00	11	15
552	00	31	87			2545	00	05	53
2725	00	00	39			2434	00	05	04
559	00	00	19		(4) Kalama	1	00	06	03
2714	00	01	98			2	00	02	87
2613	00	01	14			3	00	02	55
557	00	04	26			4	00	08	55
558	00	03	78			5	00	01	95
556	00	03	26			13	00	00	41
577	00	02	92		(5) Baliapita	295	00	00	21
578	00	00	85			420	00	02	39
576	00	03	51			296	00	00	10
575	00	05	76			310	00	03	51
574	00	04	32			311	00	01	27
Road bet suy						312	00	02	01
no. 574 & 608	00	00	51			313	00	07	94
608	00	07	02			315	00	05	12
2447	00	02	67			314	00	01	88
615	00	04	51			317	00	00	36
613	00	00	18			316	00	12	20
609	00	04	93			324	00	07	68
610	00	01	69			325	00	07	93
611	00	01	53			323	00	01	06
2383	00	07	21			326	00	02	26

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) Baliapita Contd.	329	00	02	26	(7) Bistnupur	562	00	05	08
	331	00	00	36	Contd.	241	00	14	46
	327	00	00	23		563	00	01	52
	328	00	17	41		605	00	04	08
	355	00	00	20		247	00	00	10
	234	00	12	50		249	00	02	85
	235	00	01	61		575	00	18	23
	226	00	01	43		618	00	00	10
	227	00	00	63		248	00	15	41
	228	00	00	23		250	00	20	98
	229	00	08	39	Mandal/Tehsil/	District : Mayurbhanj	State : Orissa		
	223	00	04	56	Taluk : Rasagobindapur				
	421	00	03	03	(1) Sapagadia	Nala bet VB			
	222	00	02	44		& suy no. 237	00	06	63
	220	00	05	84		237	00	01	95
	219	00	02	83		238	00	03	82
	221	00	07	79		239	00	02	69
	436	00	15	13		240	00	03	90
	217	00	23	02		241	00	04	32
	207	00	00	25		242	00	08	39
	215	00	07	47		243	00	00	29
	214	00	03	05		251	00	32	66
(6) Ganeswarpur	116	00	00	16		248	00	09	67
	105	00	25	98		249	00	02	75
	106	00	06	09		265	00	13	95
	107	00	00	90		263	00	03	04
	138	00	08	34		264	00	13	87
	104	00	02	76		266	00	07	84
(7) Bistnupur	110	00	06	13		329	00	24	75
	107	00	25	43		330	00	00	59
	571	00	03	85		344	00	04	21
	108	00	00	41		328	00	00	10
	105	00	17	97		326	00	03	14
	104	00	08	82		325	00	23	70
	102	00	08	50		348	00	12	67
	635	00	01	33		349	00	10	15
	101	00	08	85		Road bet suy			
	570	00	07	75		no. 349 & 426	00	01	99
	564	00	10	72		426	00	03	11
	93	00	15	13		425	00	09	41
	94	00	00	18		424	00	14	04
	91	00	00	43		483	00	02	95
	92	00	01	92		421	00	12	54
	89	00	00	33		480	00	01	26
	90	00	04	05		414	00	07	58
	222	00	05	41		420	00	00	01
	224	00	16	60		417	00	11	61
	226	00	14	57		419	00	01	22
	557	00	03	33		416	00	03	43
	225	00	03	39	(2) Paikasahi	1015	00	02	73
	244	00	01	44	[F.No.L-14014/17/2011-GP]				
	243	00	14	89	K. K. SHARMA, Under Secy.				

नई दिल्ली, 24 फरवरी, 2011

का.आ. 679.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलायन्स इंडस्ट्रीज लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-बासुदेवपुर-हावड़ा पाइपलाइन बिछाई जानी चाहिए;

और भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध कर दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री भास्कर त्रिपाठी, सक्षम प्राधिकारी, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, प्रथम मंजिल, फोर्चुन टावर, चन्द्रशेखरपुर, भुवनेश्वर-751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/तहसील/तालुक : भद्रक देहात जिला : भद्रक राज्य : ओडिशा

गांव का नाम	सर्वे सं/सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल हेक्टेयर	एयर	सि एयर
1	2	3	4	5
(1) बाणतिआ	2601	00	03	44
	7677	00	00	71
	2676	00	21	76
	2673/685	00	11	07
	2677/686	00	02	45
	2674/687	00	21	16
	2679	00	04	68
	2680	00	04	94
	2681	00	04	22
	2682	00	04	49
	2683	00	04	44
	2584/632	00	04	17

1	2	3	4	5
(1) बाणतिआ-जारी	2583/631	00	32	34
	2581	00	01	66
	2579/629	00	01	32
	2576/626	00	39	42
	2575/625	00	00	35
	2511	00	01	35
	2571/621	00	12	32
	2570/620	00	12	26
	2567/617	00	09	99
	2566/616	00	02	38
	2565/615	00	00	88
	2564/614	00	00	15
	2562/612	00	04	75
	2560	00	01	11
	2516	00	22	41
	5523	00	20	82
	2551/537	00	12	35
	535	00	10	79
	523	00	01	39
	1950/536	00	00	92
	1949	00	13	60
	1948	00	00	37
	1947/521	00	23	09
	1893	00	04	81
	1898/510	00	33	86
	1896/509	00	00	65
	1865	00	00	92
	1875/498	00	23	28
	1873/496	00	13	87
	1871/495	00	03	72
	1870/494	00	08	35
	1860	00	02	02
	1847	00	14	43
	1848/480	00	22	94
	1839	00	00	87
	1826/468	00	27	33
	1820/465	00	00	10
	1827/469	00	00	44
	1825	00	13	37
	1824	00	01	06
	1823/467	00	05	56
	1813	00	00	37

1	2	3	4	5
(1) बाणतिआ-जारी	1814	00	00	43
	1804/456	00	01	69
	1804	00	12	95
	1699/454	00	04	17
	1800	00	01	51
	1801	00	07	28
	1291	00	01	23
	1693	00	18	54
	1692/444	00	11	92
	1682	00	02	20
	1681	00	02	32
	1680	00	02	10
	1679	00	02	80
	1678	00	02	11
	1364/402	00	24	27
	1363/401	00	04	19
	1362/400	00	11	04
	1341/397	00	35	74
	1345	00	00	88
	390	00	01	92
	1330/391	00	01	35
	1331/389	00	23	68
	1320/384	00	12	70
	1319/382	00	13	80
	1318/383	00	33	77
	1316	00	01	00
	300/177	00	20	26
	391/176	00	12	31
	392/175	00	22	85
	393/174	00	19	69
	384	00	00	11
	394	00	10	51
	383/173	00	02	70
	382	00	00	88
	306/172	00	10	43
	377	00	00	56
	378	00	35	70
	381	00	04	75
	379	00	00	82
	160/59	00	08	14
	156/55	00	07	31
	155/54	00	15	14

1	2	3	4	5
(1) बाणतिआ-जारी	153	00	01	58
	152	00	02	22
	151	00	02	00
	143/52	00	12	35
	142/51	00	06	93
	141	00	16	66
	140/46	00	09	43
	146	00	00	85

मंडल/तहसील/तालुक : सोरो जिला : बालेश्वर राज्य : ओडिशा

(1) रघुनाथपुर	गाँव सोमा और सर्वे सं. 46 के बीच में	00	01	69
	46	00	02	78
	54	00	00	10
	45	00	00	10
	48	00	00	43
	47	00	02	78
	42	00	03	69
	14	00	01	54
	49	00	00	75
	39	00	03	53
	सर्वे सं. 39 और 46 के बीच में	00	00	58
	40	00	11	42
	36	00	05	88
	9	00	00	70
	10	00	04	12
	35	00	01	02
	11	00	05	35
	12	00	01	55
	13	00	01	12
	7	00	08	06
	2	00	01	82
	1	00	02	21
(2) बलदिआ	309	00	44	42

मंडल/तहसील/तालुक : निलगिरी जिला : बालेश्वर राज्य : ओडिशा

(1) बौलगडिआ	1827	00	11	57
	1828	00	00	63
	1792	00	01	53
	1826	00	00	13
	1802	00	09	33

1	2	3	4	5	1	2	3	4	5
(1) बौलगाडिआ—जारी	1793	00	00	24	1) बौलगाडिआ—जारी	1512	00	14	93
	1797	00	04	04		1511	00	08	77
	1801	00	04	26		1513	00	00	48
	1800	00	02	73		1514	00	00	28
	1798	00	07	47		1516	00	00	10
	1799	00	05	27	(2) अगिरिया	254	00	00	69
	1765	00	00	28		288	00	05	66
	1776	00	15	43		287	00	05	28
	1777	00	00	25		286	00	05	35
	1766	00	14	41		284	00	11	34
	1775	00	01	78		282	00	08	56
	1767	00	01	94		280	00	24	27
	1741	00	06	54		276	00	07	67
	1740	00	05	84		321	00	05	05
	1739	00	04	34		272	00	14	19
	2072	00	01	87		270	00	10	75
	1713	00	14	12		271	00	08	69
	1714	00	02	78		225	00	04	52
	1712	00	01	75		223	00	21	27
	1711	00	04	08		222	00	04	42
	1710	00	07	69		221	00	05	33
	1709	00	00	40		220	00	05	19
	1967	00	01	66		219	00	20	73
	1596	00	02	32		217	00	00	10
	1595	00	08	11	मंडल/तहसील/तालुक : सिमिलिया जिला : बालेश्वर राज्य : ओडिशा				
	1590	00	14	40	(1) महतीपुर	1602	00	09	45
	1591	00	02	59		1655	00	06	68
	1588	00	07	96		1596	00	10	78
	1587	00	03	63		1600	00	00	52
	1584	00	05	78		1597	00	11	58
	1586	00	03	29		1650	00	01	06
	1585	00	08	66		1598	00	11	74
	1583	00	03	06		1580	00	06	74
	1576	00	03	51		1579	00	06	19
	1577	00	07	84		1578	00	18	75
	1578	00	07	02		1572	00	14	57
	1564	00	02	08		1571	00	04	93
	1562	00	03	65		1638	00	10	49
	1561	00	04	41		1549	00	06	66
	1541	00	15	43		1640	00	00	40
	1563	00	00	86		1548	00	07	60
	1542	00	08	14					

1	2	3	4	5	1	2	3	4	5
(1) महतीपुर-जारी	1547	00	10	36	(1) महतीपुर-जारी	1282	00	01	57
	1628	00	08	54		1284	00	05	99
	1546	00	08	12		1283	00	00	10
	1543	00	05	68		1285	00	03	23
	1544	00	00	65		1286	00	10	14
	1542	00	07	88		1287	00	01	31
	1539	00	02	23		1288	00	03	08
	1541	00	03	67	(2) अन्तरा	644	00	02	28
	1540	00	05	14		768	00	03	52
	1537	00	05	80		769	00	05	89
	1630	00	00	39		763	00	02	26
	1460	00	12	54		762	00	06	15
	1461	00	04	70		771	00	00	62
	1462	00	07	80		761	00	06	89
	1464	00	01	16		758	00	02	66
	1455	00	11	56		3293	00	05	81
	1424	00	03	88		757	00	07	54
	1423	00	07	36		756	00	09	84
	1429	00	02	27		754	00	03	84
	1428	00	04	02		748	00	02	03
	1427	00	00	20		738	00	08	77
	1430	00	06	57		732	00	06	36
	1414	00	02	51		731	00	02	02
	1413	00	14	24		733	00	06	87
	1415	00	00	10		734	00	00	24
	1314	00	02	52		928	00	02	36
	1353	00	01	46		930	00	09	63
	1352	00	18	17		932	00	02	56
	1346	00	00	12		1544	00	00	22
	1349	00	01	48		1543	00	26	37
	1350	00	01	00		1542	00	04	98
	1351	00	08	40		1530	00	04	04
	1354	00	01	91		3182	00	01	67
	1256	00	01	37		1526	00	00	10
	1257	00	04	22		1527	00	02	19
	1258	00	01	59		1539	00	04	82
	1295	00	00	16		1649	00	14	22
	1294	00	08	89		1523	00	02	75
	1281	00	17	10		1522	00	02	37
	1293	00	00	78		1521	00	02	01
	1280	00	00	10		1650	00	07	11
	1279	00	00	73		1651	00	04	89

1	2	3	4	5	1	2	3	4	5
(2) अन्तरा-जारी	1519	00	08	65	(2) अन्तरा-जारी	3313	00	12	88
	1518	00	08	40	मंडल/तहसील/तालुक : रेमुणा जिला : बालेश्वर राज्य : ओडिशा				
	1516	00	02	37	(1) बरीन	661	00	07	10
	1517	00	02	39		660	00	07	99
	1520	00	08	14		667	00	06	50
	1483	00	01	00		649	00	00	10
	1447	00	04	47		668	00	05	93
	1010	00	17	62		669	00	11	69
	1026	00	08	19		627	00	00	28
	1027	00	13	58		670	00	00	31
	3140	00	22	50		672	00	09	78
	1081	00	22	46		671	00	12	28
	1082	00	02	16		674	00	09	30
	1090	00	08	70		644	00	00	10
	1083	00	05	51		643	00	01	34
	1085	00	13	96		675	00	05	82
	1086	00	00	38		676	00	00	59
	1084	00	01	45		637	00	01	54
	1066	00	01	96		636	00	08	62
	1182	00	00	10		635	00	04	66
	1181	00	04	49		612	00	30	80
	1174	00	08	08		626	00	00	10
	1175	00	08	85		625	00	05	00
	1080	00	02	30		613	00	27	50
	1179	00	12	92		614	00	00	10
	1186	00	00	54		592	00	08	72
	1178	00	11	24		591	00	04	62
	1177	00	04	74		590	00	11	86
	1361	00	08	37		587	00	05	24
	1360	00	12	31		586	00	05	24
	1357	00	05	63		585	00	00	15
	1355	00	07	19		581	00	00	64
	1353	00	10	73		580	00	00	90
	3310	00	08	22		579	00	08	58
	1381	00	05	82		578	00	08	72
	1380	00	08	16		560	00	12	51
	1385	00	00	14		561	00	07	75
	1384	00	05	73		562	00	00	50
	1383	00	04	70		556	00	16	44
	1388	00	04	19		14	00	07	43
	1390	00	08	10		15	00	01	42
	1391	00	05	13		17	00	00	55

1	2	3	4	5	1	2	3	4	5
(1) बरौन-जारी	18	00	01	50	(3) गाबिंदपुर-जारी	1910	00	03	22
	13	00	04	10		2063	00	01	61
	12	00	06	14		1920	00	00	45
	21	00	01	48		1917	00	24	31
	552	00	00	56		1918	00	05	06
	24	00	08	26		1922	00	01	58
	20	00	15	24		2017	00	02	21
	22	00	02	77		1932	00	03	79
	23	00	10	62		1923	00	12	95
(2) शालागों	81	00	00	10		1931	00	12	85
	82	00	14	25		1935	00	01	66
	80	00	00	41		1929	00	03	77
	87	00	04	21		1930	00	39	62
	86	00	03	59		1943	00	00	19
	90	00	04	12		1856	00	09	10
	88	00	03	07		1855	00	02	61
	89	00	01	69		1945	00	33	86
	70	00	01	79		1944	00	00	31
	92	00	03	35		1946	00	15	26
	91	00	05	84		1854	00	00	10
	98	00	12	30		1947	00	15	48
	127	00	05	32		1466	00	00	89
	128	00	00	56		1948	00	01	83
	130	00	01	47		1465	00	05	59
	129	00	04	93		1464	00	03	04
	131	00	09	03		1471	00	22	39
	132	00	06	32		1457	00	00	90
	133	00	05	52		1472	00	02	85
	43	00	08	30		1456	00	15	90
	134	00	03	37		1453	00	00	72
	141	00	07	51		1455	00	02	08
	142	00	04	06		1454	00	03	91
	143	00	05	61		1011	00	02	35
	145	00	06	17		1008	00	01	20
	146	00	02	71		2048	00	00	91
	147	00	03	78		1007	00	02	02
	154	00	04	40		1006	00	00	77
	171	00	04	84		1004	00	00	95
	172	00	04	04		1009	00	02	76
	173	00	03	61		1010	00	01	15
	174	00	00	19		1014	00	01	48
(3) गाबिंदपुर	1909	00	02	78		1000	00	15	64

1	2	3	4	5	1	2	3	4	5
(3) गाबिंदपुर—जारी	991	00	01	17	(3) गाबिंदपुर—जारी	2051	00	01	73
	999	00	01	31		2070	00	03	49
	983	00	08	00		1076	00	01	74
	984	00	01	75		1074	00	03	50
	985	00	00	58		1073	00	01	54
	986	00	02	00		1095	00	01	81
	987	00	00	34		1094	00	03	45
	682	00	01	65		1096	00	11	80
	643	00	05	75		1107	00	05	56
	644	00	00	82		1106	00	04	05
	646	00	00	46		1104	00	00	29
	647	00	01	36		1105	00	05	53
	648	00	00	35		1117	00	02	13
	649	00	00	44		1116	00	02	85
	650	00	00	24		1118	00	02	17
	645	00	00	71		1120	00	08	63
	653	00	00	91		1136	00	00	82
	651	00	05	43		1143	00	15	10
	652	00	03	57		1149	00	00	57
	635	00	00	39		1148	00	01	62
	633	00	04	84		1147	00	04	47
	621	00	00	22		1151	00	00	10
	632	00	01	63		1152	00	04	40
	634	00	01	61		1153	00	05	17
	1026	00	01	21		1154	00	11	94
	2041	00	01	35		1155	00	01	03
	631	00	00	39		1156	00	06	10
	630	00	00	66		1157	00	06	41
	1027	00	01	43		1158	00	14	49
	1049	00	04	68		1242	00	05	52
	629	00	00	10		1241	00	00	10
	1050	00	06	32		1243	00	09	98
	1056	00	02	94		1244	00	00	22
	1051	00	04	68		1245	00	07	77
	1053	00	01	50		1247	00	06	41
	1054	00	05	18		1246	00	00	10
	1055	00	05	48		1248	00	14	16
	1060	00	11	49		1249	00	05	48
	1063	00	04	91		1250	00	00	98
	1065	00	03	93		1255	00	00	65
	1066	00	04	97		1258	00	03	05
	2077	00	03	30		1259	00	05	81
						2055	00	03	65

1	2	3	4	5	1	2	3	4	5
(4) जेनाबरेड	284	00	08	72	(6) गौरपुर-जारी	355	00	00	30
	281	00	01	84		361	00	09	28
	280	00	05	84		356	00	02	22
	279	00	02	35		360	00	05	53
	277	00	14	86		357	00	00	15
	276	00	00	47		359	00	16	18
	269	00	06	32		358	00	17	98
	268	00	03	31		318	00	00	10
	267	00	07	21		317	00	04	95
	102	00	00	35		313	00	17	85
	101	00	05	38		314	00	00	10
	99	00	18	15		1269	00	09	62
	100	00	00	90		312	00	01	46
	92	00	21	53		65	00	05	07
(5) झिकाभुंडली	65	00	01	16		67	00	01	36
	64	00	00	10		68	00	05	08
	66	00	02	88		69	00	20	35
	67	00	02	66		42	00	02	53
	68	00	13	05		40	00	08	17
	71	00	02	72		70	00	04	59
	63	00	07	08		72	00	00	98
	72	00	05	43		73	00	06	95
	62	00	05	75		74	00	11	67
	42	00	04	37		75	00	04	85
	39	00	05	86		79	00	06	86
	43	00	17	20		80	00	01	64
	38	00	02	05		81	00	07	85
	37	00	01	27		82	00	12	83
	36	00	06	69		83	00	00	10
	35	00	00	15		90	00	08	10
	33	00	00	60		91	00	14	00
	27	00	07	26		92	00	12	65
	32	00	05	45		95	00	05	38
	29	00	13	18	(7) बाल गोपालपुर	96	00	01	95
	22	00	08	13		404	00	40	97
	19	00	01	47		403	00	02	48
	20	00	04	42		398	00	21	97
	21	00	0	17		396	00	16	68
	3	00	11	08		272	00	08	29
(6) गौरपुर	352	00	00	75		371	00	11	77
	363	00	07	68		373	00	14	78
	353	00	01	07		363	00	16	89
						375	00	10	43
						361	00	01	46

1	2	3	4	5	1	2	3	4	5
(7) बाल गोपालपुर	357	00	20	60	(8) बिद्याधरपुर	86	00	06	33
-जारी	163	00	07	53	-जारी	83	00	05	22
	162	00	20	08		82	00	00	69
	168	00	07	19		81	00	05	85
	169	00	07	68		78	00	11	80
	171	00	06	41		79	00	00	81
	170	00	14	27		76	00	08	44
	160	00	07	86		198	00	00	14
	172	00	00	10		77	00	00	25
	173	00	09	54	(9) कुरुपिआ	1475	00	08	43
	158	00	08	48		1471	00	05	86
	174	00	08	90		1472	00	18	79
	157	00	02	36		1473	00	06	52
	156	00	20	79		1468	00	16	88
	155	00	05	22		1469	00	00	82
	120	00	04	00		1465	00	04	17
	145	00	00	10		1464	00	16	20
	219	00	05	42		1413	00	00	21
	218	00	13	74		1412	00	01	93
	146	00	00	14		1411	00	06	79
	141	00	43	99		1410	00	01	58
	139	00	31	08		1406	00	08	72
(8) बिद्याधरपुर	581	00	06	19		1408	00	06	33
	579	00	10	27		1409	00	00	10
	580	00	08	42		1407	00	07	56
	577	00	22	41		1394	00	05	51
	576	00	09	71		1500	00	08	55
	575	00	14	41		1501	00	04	64
	510	00	04	09		1393	00	01	67
	509	00	01	20		1392	00	00	63
	508	00	08	24		1530	00	08	74
	104	00	09	65		1365	00	12	95
	100	00	05	18		1359	00	02	96
	101	00	05	50		1360	00	07	21
	102	00	04	24		1357	00	00	13
	103	00	05	38		1356	00	07	97
	105	00	20	21		1355	00	02	39
	106	00	09	82		1353	00	02	49
	92	00	04	47		1354	00	11	37
	91	00	22	66		1347	00	00	14
	88	00	08	86		1339	00	09	44
	87	00	06	69		1319	00	08	53

1	2	3	4	5	1	2	3	4	5
(9) कुरुणिआ	1320	00	03	54	(9) कुरुणिआ	398	00	06	26
— जारी	1338	00	03	06	— जारी	391	00	00	51
	1581	00	03	15		403	00	05	42
	1579	00	00	10		397	00	00	75
	1847	00	00	58		404	00	03	94
	1580	00	11	99		402	00	00	49
	1585	00	03	46		405	00	09	86
	1582	00	09	39		406	00	00	47
	1583	00	00	22		407	00	05	51
	1584	00	05	18		433	00	04	60
	1587	00	00	21		432	00	04	72
	1594	00	08	49		431	00	01	00
	1621	00	07	88		430	00	03	88
	1622	00	00	27		438	00	00	85
	1623	00	01	56		429	00	03	95
	1626	00	09	43		1843	00	00	16
	1625	00	00	10		427	00	06	29
	1620	00	07	87		422	00	16	67
	1627	00	05	78		421	00	00	47
	1612	00	00	42		420	00	03	05
	1629	00	25	17		804	00	06	31
	1630	00	02	83		423	00	00	10
	1631	00	07	89		803	00	01	62
	1633	00	03	81		805	00	06	22
	1632	00	04	87		806	00	05	72
	901	00	02	85		802	00	11	78
	900	00	05	20		801	00	02	62
	899	00	05	84		792	00	02	94
	898	00	08	65		790	00	02	27
	896	00	10	76		791	00	06	22
	1817	00	00	12		793	00	06	22
	894	00	08	86		777	00	03	69
	897	00	03	62		776	00	00	75
	887	00	00	75		775	00	05	02
	888	00	02	24		762	00	01	12
	889	00	03	18		763	00	05	55
	388	00	00	95		764	00	06	46
	387	00	03	66		765	00	07	17
	383	00	00	77		735	00	05	53
	389	00	07	18		732	00	05	04
	390	00	02	56		731	00	01	31
	399	00	02	80		733	00	03	52
	400	00	01	71					

1	2	3	4	5	1	2	3	4	5
(9) कुरुनिया (जारी)	734	00	04	28	(10) भरदा (जारी)	629	00	03	21
	738	00	00	09		556	00	03	31
	718	00	04	31		411	00	23	94
	717	00	07	93		336	00	01	91
	716	00	02	07		335	00	01	07
	688	00	04	83	(11) बालिपल	325	00	05	63
	690	00	01	60		324	00	01	66
	689	00	02	02		323	00	06	48
	678	00	04	56		609	00	06	50
	677	00	05	35		249	00	17	08
	676	00	00	10		246	00	01	68
	675	00	03	86		248	00	07	93
	674	00	01	75		247	00	04	93
	673	00	00	42		251	00	05	48
	666	00	24	11		261	00	00	25
	662	00	01	37		262	00	06	44
	1875	00	02	35		240	00	00	17
	1874	00	01	19		263	00	05	17
	658	00	02	09		264	00	02	70
	647	00	00	24		224	00	07	73
	1897	00	02	26		225	00	01	23
	651	00	06	12		226	00	02	95
	650	00	08	19		223	00	02	97
	649	00	04	39		222	00	03	46
	648	00	02	47		219	00	00	59
	641	00	00	89		220	00	03	45
	640	00	02	38		221	00	05	63
	1873	00	00	30		227	00	00	50
	1823	00	01	75		229	00	07	06
(10) भरदा	607	00	11	55		211	00	04	20
	606	00	06	52		230	00	06	36
	605	00	03	00		231	00	00	48
	604	00	17	76		132	00	07	72
	626	00	08	09		129	00	01	33
	627	00	03	53		131	00	03	64
	625	00	09	94		133	00	00	41
	624	00	00	30		134	00	03	06
	630	00	12	05		135	00	08	06
	631	00	10	03		136	00	07	27
	632	00	04	03		187	00	01	12
	634	00	00	57		139	00	07	81
	635	00	00	31		137	00	04	24

1	2	3	4	5	1	2	3	4	5
(11) बालीफल (जारी)	138	00	01	07	(12) शिलासुअन (जारी)	1322	00	08	56
	148	00	00	41		1293	00	00	70
	140	00	03	12		1323	00	03	41
	141	00	03	65		1324	00	02	50
	142	00	00	33		1330	00	04	39
	146	00	10	02		1331	00	02	10
	147	00	00	55		1329	00	02	49
	152	00	03	69		1332	00	05	88
	153	00	02	56		1452	00	00	04
	156	00	02	23		1333	00	12	75
	155	00	00	51		1339	00	06	93
	173	00	02	70		1340	00	06	63
	157	00	03	48		1341	00	01	82
	158	00	01	05		1449	00	01	02
	161	00	02	20		1350	00	01	63
	162	00	02	74		1351	00	00	10
	164	00	03	92		1365	00	04	37
	163	00	01	46		1366	00	04	31
	160	00	00	32		1367	00	01	81
	168	00	00	27		1364	00	01	87
	167	00	02	96		1363	00	01	45
	166	00	03	94		1362	00	01	26
	165	00	05	15		1370	00	01	47
	370	00	00	53		1369	00	00	20
	371	00	00	10		1371	00	01	59
(12) शिलासुअन	984	00	03	11		1361	00	04	10
	985	00	00	87		1360	00	00	59
	986	00	00	29		1359	00	05	61
	983	00	00	03		1358	00	00	78
	1277	00	06	82		1263	00	01	10
	1304	00	02	83		1375	00	00	30
	1303	00	01	87	(13) नच्छीपुर	840	00	01	19
	1302	00	03	20		679	00	00	76
	1436	00	02	44		677	00	02	18
	1301	00	03	27		676	00	01	25
	1300	00	04	38		674	00	01	47
	1298	00	01	90		683	00	05	10
	1297	00	00	30		682	00	00	11
	1305	00	01	01		672	00	01	25
	1295	00	10	66		684	00	05	45
	1294	00	08	24		686	00	05	04
	1321	00	01	31		670	00	00	19

1	2	3	4	5	1	2	3	4	5
(13) नच्छीपुर (जारी)	717	00	13	77	(14) काशिमपुर	920	00	01	35
	690	00	00	10		921	00	00	10
	691	00	00	76		919	00	09	27
	692	00	00	62		918	00	04	00
	693	00	00	10		916	00	00	23
	714	00	01	33		917	00	04	48
	715	00	06	31		1545	00	06	91
	713	00	08	15		915	00	05	24
	719	00	02	11		913	00	01	49
	720	00	08	37		825	00	01	29
	721	00	02	89		824	00	08	48
	712	00	04	32		823	00	02	17
	726	00	00	10		822	00	08	24
	727	00	01	20		820	00	06	31
	728	00	04	12		819	00	01	62
	729	00	05	86		816	00	00	82
	711	00	00	42		815	00	04	15
	730	00	00	10		814	00	06	40
	734	00	04	62		811	00	01	60
	735	00	00	15		812	00	09	49
	733	00	07	28		796	00	00	76
	825	00	01	05		795	00	08	56
	783	00	01	02		794	00	04	94
	784	00	07	28		797	00	00	76
	789	00	04	21		798	00	00	10
	785	00	08	07		793	00	07	43
	788	00	00	74		792	00	08	06
	790	00	02	80		790	00	01	41
	791	00	04	35		791	00	06	74
	793	00	00	10		769	00	04	22
	799	00	08	61		765	00	00	72
	800	00	05	75		766	00	08	55
	801	00	00	90		767	00	07	05
	805	00	10	31		768	00	00	07
	798	00	00	39		746	00	00	66
	806	00	00	96		760	00	02	51
	807	00	00	10		759	00	05	28
	808	00	11	01		758	00	01	45
	811	00	08	82		757	00	00	28
	447	00	31	42		749	00	00	51
	814	00	00	05		751	00	04	45
						750	00	02	33

1	2	3	4	5	1	2	3	4	5
(14) काशिमपुर	752	00	01	20	(14) काशिमपुर	537	00	01	69
(जारी)	729	00	00	02	(जारी)	529	00	01	53
	728	00	03	82		531	00	07	21
	753	00	03	11		530	00	00	48
	754	00	01	02		389	00	04	59
	727	00	06	03		382	00	00	24
	614	00	05	51		444	00	02	53
	726	00	00	28		390	00	12	67
	1535	00	01	39		391	00	08	94
	615	00	02	09		392	00	01	17
	613	00	00	58		401	00	02	08
	612	00	00	29		407	00	08	00
	616	00	05	94		408	00	00	72
	618	00	00	26		409	00	00	09
	617	00	05	02		403	00	05	37
	600	00	01	98		406	00	07	54
	596	00	00	10		411	00	01	55
	597	00	03	82		404	00	00	19
	598	00	04	26		405	00	02	32
	599	00	04	96		1461	00	00	17
	587	00	05	70		414	00	07	24
	588	00	04	35		415	00	05	04
	589	00	32	70		417	00	00	10
	577	00	00	39		416	00	01	30
	1592	00	00	19		237	00	13	81
	563	00	01	98		236	00	01	88
	573	00	01	14		235	00	14	70
	572	00	04	26		197	00	02	82
	564	00	03	78		196	00	02	12
	569	00	03	26		195	00	28	23
	570	00	02	92		192	00	11	15
	571	00	00	85	(15) मरायगन	गाँव सीमा और	00	02	22
	568	00	03	51		सर्वे सं. 182 के			
	567	00	05	76		बीच में			
	566	00	04	32		182	00	01	65
	539	00	00	51		183	00	04	89
	538	00	07	02		1743	00	01	31
	535	00	02	67		178	00	04	92
	536	00	04	51		177	00	08	22
	533	00	00	18		176	00	02	08
	532	00	04	93		188	00	10	82
						174	00	00	70

1	2	3	4	5
(15) मरायगन	189	00	00	40
—जारी	190	00	05	15
	171	00	01	18
	486	00	00	10
	170	00	05	84
	193	00	00	36
	191	00	02	31
	192	00	00	10
	169	00	07	93
	168	00	05	40
	167	00	00	14
	487	00	02	38
	150	00	07	47
	1760	00	01	71
	497	00	04	38
	498	00	03	55
	496	00	06	99
	493	00	03	15
	492	00	00	10
	495	00	05	28
	494	00	11	86
	550	00	01	22
	503	00	00	63
	546	00	10	37
	545	00	03	37
	547	00	17	01
	540	00	00	10
	539	00	01	80
	471	00	10	32
	1763	00	00	17
	524	00	11	91
	1730	00	07	46
	522	00	01	25
	521	00	03	39
सर्वे सं. 182	00	03		96
और गाँव सीमा				
के बीच में				

[फा. सं. एल-14014/16/2011-जी. पी.]

के. के. शर्मा, अवर सचिव

New Delhi, 24th February, 2011

S.O. 679.— Whereas it appears to Government of India that it is necessary in public interest that for

transportation of natural gas from onshore terminal at East Coast of Andhra Pradesh of M/s. Reliance Industries Limited to consumers in various parts of the country, Kakinada—Basudebpur—Howrah pipeline should be laid by M/s. Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in Land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Bhaskar Tripathy, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharapur, Bhubaneswar-751 023, Orissa State.

SCHEDULE

Mandal/Tehsili/ District : Bhadrak State : Orissa
Taluk : Bhadrak Rural

Village	Survey No./ Sub-Division	Area to be acquired		
		Hec	Are	C-Are
1	2	3	4	5
(1) Banatia	2601	00	03	44
	7677	00	00	71
	2676	00	21	76
	2673/685	00	11	07
	2677/686	00	02	45
	2674/687	00	21	16
	2679	00	04	68
	2680	00	04	94
	2681	00	04	22
	2682	00	04	49
	2683	00	04	44
	2584/632	00	04	17
	2583/631	00	32	34
	2581	00	01	66
	2579/629	00	01	32
	2576/626	00	39	42

1	2	3	4	5	1	2	3	4	5
(1) Banatia	2575/625	00	00	35	(1) Banatia	1800	00	01	51
(Contd.)	2511	00	01	35	(Contd.)	1801	00	07	28
	2571/621	00	12	32		1291	00	01	23
	2570/620	00	12	26		1693	00	18	54
	2567/617	00	09	99		1692/444	00	11	92
	2566/616	00	02	38		1682	00	02	20
	2565/615	00	00	88		1681	00	02	32
	2564/614	00	00	15		1680	00	02	10
	2562/612	00	04	75		1679	00	02	80
	2560	00	01	11		1678	00	02	11
	2516	00	22	41		1364/402	00	24	27
	5523	00	20	82		1363/401	00	04	19
	2551/537	00	12	35		1362/400	00	11	04
	535	00	10	79		1341/397	00	35	74
	523	00	01	39		1345	00	00	88
	1950/536	00	00	92		390	00	01	92
	1949	00	13	60		1330/391	00	01	35
	1948	00	00	37		1331/389	00	23	68
	1947/521	00	23	09		1320/384	00	12	70
	1893	00	04	81		1319/382	00	13	80
	1898/510	00	33	86		1318/383	00	33	77
	1896/509	00	00	65		1316	00	01	00
	1865	00	00	92		300/177	00	20	26
	1875/498	00	23	28		391/176	00	12	31
	1873/496	00	13	87		392/175	00	22	85
	1871/495	00	03	72		393/174	00	19	69
	1870/494	00	08	35		384	00	00	11
	1860	00	02	02		394	00	10	51
	1847	00	14	43		383/173	00	02	70
	1848/480	00	22	94		382	00	00	88
	1839	00	00	87		306/172	00	10	43
	1826/468	00	27	33		377	00	00	56
	1820/465	00	00	10		378	00	35	70
	1827/469	00	00	44		381	00	04	75
	1825	00	13	37		379	00	00	82
	1824	00	01	05		160/59	00	08	14
	1823/467	00	05	56		156/55	00	07	31
	1813	00	00	37		155/54	00	15	14
	1814	00	00	43		153	00	01	58
	1804/456	00	01	69		152	00	02	22
	1804	00	12	95		151	00	02	00
	1699/454	00	04	17		143/52	00	12	35

1	2	3	4	5	1	2	3	4	5
(1) Banatia	142/51	00	06	93	(1) Baulagadia	1799	00	05	27
(Contd.)	141	00	16	66	(Contd.)	1765	00	00	28
	140/46	00	09	43		1776	00	15	43
	146	00	00	85		1777	00	00	25
Mandal/Tehsil/Taluk : Soro District: Baleshwar						1766	00	14	41
State : Orissa						1775	00	01	78
(1) Raghunath-pur	In bet VB & suy no.46	00	01	69		1767	00	01	94
	46	00	02	78		1741	00	06	54
	54	00	00	10		1740	00	05	84
	45	00	00	10		1739	00	04	34
	48	00	00	43		2072	00	01	87
	47	00	02	78		1713	00	14	12
	42	00	03	69		1714	00	02	78
	14	00	01	54		1712	00	01	75
	49	00	00	75		1711	00	04	08
	39	00	03	53		1710	00	07	69
	In bet suy no. 39 & 40	00	00	58		1709	00	00	40
	40	00	11	42		1967	00	01	66
	36	00	05	88		1596	00	02	32
	9	00	00	70		1595	00	08	11
	10	00	04	12		1590	00	14	40
	35	00	01	02		1591	00	02	59
	11	00	05	35		1588	00	07	96
	12	00	01	55		1587	00	03	63
	13	00	01	12		1584	00	05	78
	7	00	08	06		1586	00	03	29
	2	00	01	82		1585	00	08	66
	1	00	02	21		1583	00	03	06
(2) Baladia	309	00	44	42		1576	00	03	51
Mandal/Tehsil/Taluk: Nilagiri District: Baleshwar						1577	00	07	84
State: Orissa						1578	00	07	02
(1) Baulagadia	1827	00	11	57		1564	00	02	08
	1828	00	00	63		1562	00	03	66
	1792	00	01	53		1561	00	04	41
	1826	00	00	13		1541	00	15	43
	1802	00	09	33		1563	00	00	86
	1793	00	00	24		1542	00	08	14
	1797	00	04	04		1512	00	14	93
	1801	00	04	26		1511	00	08	77
	1800	00	02	73		1513	00	00	48
	1798	00	07	47		1514	00	00	28
						1516	00	00	10

1	2	3	4	5	1	2	3	4	5
(2) Agiria	254	00	00	69	(1) Mahati Pur	1542	00	07	88
	288	00	05	66	(Contd.)	1539	00	02	23
	287	00	05	28		1541	00	03	67
	286	00	05	35		1540	00	05	14
	284	00	11	34		1537	00	05	80
	282	00	08	56		1630	00	00	39
	280	00	24	27		1460	00	12	54
	276	00	07	67		1461	00	04	70
	321	00	05	05		1462	00	07	80
	272	00	14	19		1464	00	01	16
	270	00	10	75		1455	00	11	56
	271	00	03	69		1424	00	03	88
	225	00	04	52		1423	00	07	36
	223	00	21	27		1429	00	02	27
	222	00	04	42		1428	00	04	02
	221	00	05	33		1427	00	00	20
	220	00	05	19		1430	00	06	57
	219	00	20	73		1414	00	02	51
	217	00	00	10		1413	00	14	24
Mandal/Tehsil/Taluk:Similia						1415	00	00	10
State:Orissa						1314	00	02	52
(1) Mahati Pur	1602	00	09	45		1353	00	01	46
	1655	00	05	68		1352	00	18	17
	1596	00	10	78		1346	00	00	12
	1600	00	00	52		1349	00	01	48
	1597	00	11	58		1350	00	01	00
	1650	00	01	06		1351	00	08	40
	1598	00	11	74		1354	00	01	91
	1580	00	06	74		1256	00	01	37
	1579	00	06	19		1257	00	04	22
	1578	00	18	75		1258	00	01	59
	1572	00	14	57		1295	00	00	16
	1571	00	04	93		1294	00	03	89
	1638	00	10	49		1281	00	17	10
	1549	00	06	66		1293	00	00	78
	1640	00	00	40		1280	00	00	10
	1548	00	07	60		1279	00	00	73
	1547	00	10	36		1282	00	01	57
	1628	00	08	54		1284	00	05	99
	1546	00	08	12		1283	00	00	10
	1543	00	05	68		1285	00	03	23
	1544	00	00	65		1286	00	10	14

1	2	3	4	5	1	2	3	4	5
(1) Mahati Pur	1287	00	00	51	(2) Antara	1520	00	03	14
(Contd.)	1288	00	03	08	(Contd.)	1483	00	01	00
(2) Antara	644	00	02	28		1447	00	04	47
	768	00	03	52		1010	00	17	62
	769	00	05	89		1026	00	08	19
	763	00	02	26		1027	00	13	58
	762	00	06	15		3140	00	22	50
	771	00	00	62		1081	00	22	46
	761	00	06	89		1082	00	02	16
	758	00	02	66		1090	00	03	70
	3293	00	05	81		1083	00	05	51
	757	00	07	54		1085	00	13	96
	756	00	09	84		1086	00	00	38
	754	00	03	84		1084	00	01	45
	748	00	02	03		1066	00	01	96
	738	00	08	77		1182	00	00	10
	732	00	06	36		1181	00	04	49
	731	00	02	02		1174	00	03	03
	733	00	06	87		1175	00	03	85
	734	00	00	24		1080	00	02	30
	928	00	02	36		1179	00	12	92
	930	00	09	63		1186	00	00	54
	932	00	02	56		1178	00	11	24
	1544	00	00	22		1177	00	04	74
	1543	00	26	37		1361	00	08	37
	1542	00	04	98		1360	00	12	31
	1530	00	04	04		1357	00	05	63
	3182	00	01	67		1355	00	07	19
	1526	00	00	10		1353	00	10	73
	1527	00	02	19		3310	00	08	22
	1539	00	04	82		1381	00	05	82
	1649	00	14	22		1380	00	08	16
	1523	00	02	75		1385	00	00	14
	1522	00	02	37		1384	00	06	73
	1521	00	02	01		1383	00	04	70
	1650	00	07	11		1388	00	04	19
	1651	00	04	80		1390	00	08	10
	1519	00	03	65		1391	00	05	13
	1518	00	03	40		3313	00	12	88
	1516	00	02	37					
	1517	00	02	39					

1	2	3	4	5	1	2	3	4	5
Mandal/Tehsil/Taluk : Remuna District : Baleshwar State : Orissa					(1) Baruan	18	00	01	50
					(Contd.)	13	00	04	10
(1) Baruan	661	00	07	10		12	00	06	14
	660	00	07	99		21	00	01	48
	667	00	06	50		552	00	00	56
	649	00	00	10		24	00	08	26
	668	00	05	93		20	00	15	24
	669	00	11	69		22	00	02	77
	627	00	00	28		23	00	10	62
	670	00	00	31	(2) Shalagan	81	00	00	10
	672	00	09	78		82	00	14	25
	671	00	12	28		80	00	00	41
	674	00	09	30		87	00	04	21
	644	00	00	10		86	00	03	59
	643	00	01	34		90	00	04	12
	675	00	05	82		88	00	03	07
	676	00	00	59		89	00	01	69
	637	00	01	54		70	00	01	79
	636	00	03	62		92	00	03	35
	635	00	04	66		91	00	05	84
	612	00	30	80		98	00	12	30
	626	00	00	10		127	00	05	32
	625	00	05	00		128	00	00	56
	613	00	27	50		130	00	01	47
	614	00	00	10		129	00	04	93
	592	00	08	72		131	00	09	03
	591	00	04	62		132	00	06	32
	590	00	11	86		133	00	05	52
	587	00	05	24		43	00	08	30
	586	00	05	24		134	00	03	37
	585	00	00	15		141	00	07	51
	581	00	00	64		142	00	04	06
	580	00	00	90		143	00	05	61
	579	00	08	58		145	00	06	17
	578	00	03	72		146	00	02	71
	560	00	12	51		147	00	03	78
	561	00	07	75		154	00	04	40
	562	00	00	50		171	00	04	84
	556	00	16	44		172	00	04	04
	14	00	07	43		173	00	03	61
	15	00	01	42		174	00	00	19
	17	00	00	55					

1	2	3	4	5	1	2	3	4	5
(3) Gobindapur	1909	00	02	78	(3) Gobindapur	1000	00	15	64
	1910	00	08	22	(Contd.)	991	00	01	17
	2063	00	01	61		999	00	01	31
	1920	00	00	45		983	00	08	00
	1917	00	24	31		984	00	01	75
	1918	00	05	06		985	00	00	58
	1922	00	01	58		986	00	02	00
	2017	00	02	21		987	00	00	34
	1932	00	08	79		682	00	01	65
	1923	00	12	95		643	00	05	75
	1931	00	12	85		644	00	00	82
	1935	00	01	66		646	00	00	46
	1929	00	08	77		647	00	01	36
	1930	00	39	62		648	00	00	35
	1943	00	00	19		649	00	00	44
	1856	00	09	10		650	00	00	24
	1855	00	02	61		645	00	00	71
	1945	00	33	86		653	00	00	91
	1944	00	00	31		651	00	05	43
	1946	00	15	26		652	00	08	57
	1854	00	00	10		635	00	00	39
	1947	00	15	48		633	00	04	84
	1466	00	00	89		621	00	00	22
	1948	00	01	83		632	00	01	63
	1465	00	05	59		634	00	01	61
	1464	00	08	04		1026	00	01	21
	1471	00	22	39		2041	00	01	35
	1457	00	00	90		631	00	00	39
	1472	00	02	85		630	00	00	66
	1456	00	15	90		1027	00	01	43
	1453	00	00	72		1049	00	04	68
	1455	00	02	08		629	00	00	10
	1454	00	08	91		1050	00	06	32
	1011	00	02	35		1056	00	02	94
	1008	00	01	20		1051	00	04	68
	2048	00	00	91		1053	00	01	50
	1007	00	02	02		1054	00	05	18
	1006	00	00	77		1055	00	05	48
	1004	00	00	95		1060	00	11	49
	1009	00	02	76		1063	00	04	91
	1010	00	01	15		1065	00	03	93
	1014	00	01	48		1066	00	04	97

1	2	3	4	5	1	2	3	4	5
(3) Gobindapur	2077	00	08	30	(3) Gobindapur	1259	00	05	81
(Contd.)	2051	00	01	73	(Contd.)	2055	00	08	65
	2070	00	08	49	(4) Jenabarei	284	00	08	72
	1076	00	01	74		281	00	01	84
	1074	00	08	50		280	00	05	84
	1073	00	01	54		279	00	02	35
	1095	00	01	81		277	00	14	86
	1094	00	08	45		276	00	00	47
	1096	00	11	80		269	00	06	32
	1107	00	05	56		268	00	08	31
	1106	00	04	05		267	00	07	21
	1104	00	00	29		102	00	00	35
	1105	00	05	53		101	00	05	38
	1117	00	02	13		99	00	18	15
	1116	00	02	85		100	00	00	90
	1118	00	02	17		92	00	21	53
	1120	00	08	63	(5) Jhinkamundali	65	00	01	16
	1136	00	00	82		64	00	00	10
	1143	00	15	10		66	00	02	88
	1149	00	00	57		67	00	02	66
	1148	00	01	62		68	00	13	05
	1147	00	04	47		71	00	02	72
	1151	00	00	10		63	00	07	08
	1152	00	04	40		72	00	05	43
	1153	00	05	17		62	00	05	75
	1154	00	11	94		42	00	04	37
	1155	00	01	08		39	00	05	86
	1156	00	06	10		43	00	17	20
	1157	00	06	41		38	00	02	05
	1158	00	14	49		37	00	01	27
	1242	00	05	52		36	00	06	69
	1241	00	00	10		35	00	00	15
	1243	00	09	98		33	00	00	60
	1244	00	00	22		27	00	07	26
	1245	00	07	77		32	00	05	45
	1247	00	06	41		29	00	13	18
	1246	00	00	10		22	00	08	13
	1248	00	14	16		19	00	01	47
	1249	00	05	48		20	00	04	42
	1250	00	00	98		21	00	01	17
	1255	00	00	65		3	00	11	08
	1258	00	08	05					

1	2	3	4	5	1	2	3	4	5
(6) Gourpur	352	00	00	75	(7) Balagopalpur	371	00	11	77
	363	00	07	68	(Contd.)	373	00	14	78
	353	00	01	07		363	00	16	89
	355	00	00	30		375	00	10	43
	361	00	09	28		361	00	01	46
	356	00	02	22		357	00	20	60
	360	00	05	53		163	00	07	53
	357	00	00	15		162	00	20	08
	359	00	16	18		168	00	07	19
	358	00	17	98		169	00	07	68
	318	00	00	10		171	00	06	41
	317	00	04	95		170	00	14	27
	313	00	17	85		160	00	07	86
	314	00	00	10		172	00	00	10
	1269	00	09	62		173	00	09	54
	312	00	01	46		158	00	03	48
	65	00	05	07		174	00	08	90
	67	00	01	38		157	00	02	36
	68	00	05	08		156	00	20	79
	69	00	20	35		155	00	05	22
	42	00	02	53		120	00	04	00
	40	00	08	17		145	00	00	10
	70	00	04	59		219	00	05	42
	72	00	00	98		218	00	13	74
	73	00	06	95		146	00	00	14
	74	00	11	67		141	00	43	99
	75	00	04	85	(8) Bidyadharpur	139	00	31	08
	79	00	06	86		581	00	06	19
	80	00	01	64		579	00	10	27
	81	00	07	85		580	00	03	42
	82	00	12	83		577	00	22	41
	83	00	00	10		576	00	09	71
	90	00	08	10		575	00	14	41
	91	00	14	00		510	00	04	09
	92	00	12	65		509	00	01	20
	95	00	05	38		508	00	03	24
	96	00	01	95		104	00	09	65
(7) Balagopalpur	404	00	40	97		100	00	05	18
	403	00	02	48		101	00	05	50
	398	00	21	97		102	00	04	24
	396	00	16	68		103	00	05	38
	272	00	08	29		105	00	20	21
						106	00	09	82
						92	00	04	47
						91	00	22	66

1	2	3	4	5	1	2	3	4	5
(8) Bidyadharpur	88	00	08	86	(9) Kurunia	1339	00	09	44
(Contd.)	87	00	06	69	(Contd.)	1319	00	08	53
	86	00	06	33		1320	00	08	54
	83	00	05	22		1358	00	08	06
	82	00	00	69		1581	00	08	15
	81	00	05	85		1579	00	00	10
	78	00	11	80		1847	00	00	58
	79	00	00	81		1580	00	11	99
	76	00	08	44		1585	00	08	46
	198	00	00	14		1582	00	09	39
	77	00	00	25		1583	00	00	22
(9) Kurunia	1475	00	08	43		1584	00	05	18
	1471	00	05	86		1587	00	00	21
	1472	00	18	79		1594	00	08	49
	1473	00	06	52		1621	00	07	88
	1468	00	16	88		1622	00	00	27
	1469	00	00	82		1623	00	01	56
	1465	00	04	17		1626	00	09	43
	1464	00	16	20		1625	00	00	10
	1413	00	00	21		1620	00	07	87
	1412	00	01	93		1627	00	05	78
	1411	00	06	79		1612	00	00	42
	1410	00	01	58		1629	00	25	17
	1406	00	08	72		1630	00	02	83
	1408	00	06	33		1631	00	07	89
	1409	00	00	10		1633	00	08	81
	1407	00	07	56		1632	00	04	87
	1394	00	05	51		901	00	02	85
	1500	00	08	55		900	00	05	20
	1501	00	04	64		899	00	05	84
	1393	00	01	67		898	00	08	65
	1392	00	00	63		896	00	10	76
	1530	00	08	74		1817	00	00	12
	1365	00	12	95		894	00	08	86
	1359	00	02	96		897	00	08	62
	1360	00	07	21		887	00	00	75
	1357	00	00	13		888	00	02	24
	1356	00	07	97		889	00	08	18
	1355	00	02	39		388	00	00	95
	1353	00	02	49		387	00	08	66
	1354	00	11	37		383	00	00	77
	1547	00	00	14		389	00	07	18

1	2	3	4	5	1	2	3	4	5
(9) Kurunia	390	00	02	56	(9) Kurunia	731	00	01	31
(Contd.)	399	00	02	80	(Contd.)	733	00	08	52
	400	00	01	71		734	00	04	28
	398	00	06	26		738	00	00	09
	391	00	00	51		718	00	04	31
	403	00	05	42		717	00	07	98
	397	00	00	75		716	00	02	07
	404	00	03	94		688	00	04	83
	402	00	00	49		690	00	01	60
	405	00	09	86		689	00	02	02
	406	00	00	47		678	00	04	56
	407	00	05	51		677	00	05	35
	433	00	04	60		676	00	00	10
	432	00	04	72		675	00	08	86
	431	00	01	00		674	00	01	75
	430	00	03	88		673	00	00	42
	438	00	00	85		666	00	24	11
	429	00	03	95		662	00	01	37
	1843	00	00	16		1875	00	02	35
	427	00	06	29		1874	00	01	19
	422	00	16	67		658	00	02	09
	421	00	00	47		647	00	00	24
	420	00	03	05		1897	00	02	26
	804	00	06	31		651	00	06	12
	423	00	00	10		650	00	08	19
	803	00	01	62		649	00	04	39
	805	00	06	22		648	00	02	47
	806	00	05	72		641	00	00	89
	802	00	11	78		640	00	02	38
	801	00	02	62		1873	00	00	30
	792	00	02	94		1823	00	01	75
	790	00	02	27	(10) Bharda	607	00	11	55
	791	00	06	22		606	00	06	52
	793	00	06	22		605	00	03	00
	777	00	03	69		604	00	17	76
	776	00	00	75		626	00	08	09
	775	00	05	02		627	00	03	53
	762	00	01	12		625	00	09	94
	763	00	05	55		624	00	00	30
	764	00	06	46		630	00	12	05
	765	00	07	17		631	00	10	03
	735	00	05	53		632	00	04	03
	732	00	05	04					

1	2	3	4	5	1	2	3	4	5
(10) Bharda	634	00	00	57	(11) Balipal	139	00	07	81
(Contd.)	635	00	00	31	(Contd.)	137	00	04	24
	629	00	03	21		138	00	01	07
	556	00	03	31		148	00	00	41
	411	00	23	94		140	00	03	12
	336	00	01	91		141	00	03	65
	335	00	01	07		142	00	00	33
(11) Balipal	325	00	05	63		146	00	10	02
	324	00	01	66		147	00	00	55
	323	00	06	48		152	00	03	69
	609	00	06	50		153	00	02	56
	249	00	17	03		156	00	02	23
	246	00	01	68		155	00	00	51
	248	00	07	93		173	00	02	70
	247	00	04	93		157	00	03	48
	251	00	05	48		158	00	01	05
	261	00	00	25		161	00	02	20
	262	00	06	44		162	00	02	74
	240	00	00	17		164	00	03	92
	263	00	05	17		163	00	01	46
	264	00	02	70		160	00	00	32
	224	00	07	73		168	00	00	27
	225	00	01	23		167	00	02	96
	226	00	02	95		166	00	03	94
	223	00	02	97		165	00	05	15
	222	00	03	46		370	00	00	53
	219	00	00	59		371	00	00	10
	220	00	03	45	(12) Silasuan	984	00	03	11
	221	00	05	63		985	00	00	87
	227	00	00	50		986	00	00	29
	229	00	07	06		983	00	00	03
	211	00	04	20		1277	00	06	82
	230	00	06	36		1304	00	02	83
	231	00	00	48		1303	00	01	87
	132	00	07	72		1302	00	03	20
	129	00	01	33		1436	00	02	44
	131	00	03	64		1361	00	05	27
	133	00	00	41		1300	00	04	38
	134	00	03	06		1298	00	01	90
	135	00	08	06		1297	00	00	30
	136	00	07	27		1305	00	01	01
	187	00	01	12		1295	00	10	66

1	2	3	4	5	1	2	3	4	5
(12) Silasuan	1294	00	08	24	(13) Nachhipur	686	00	05	04
Contd.	1321	00	01	31	Contd.	670	00	00	19
	1322	00	03	56		717	00	13	77
	1293	00	00	70		690	00	00	10
	1323	00	03	41		691	00	00	76
	1324	00	02	50		692	00	00	62
	1330	00	04	39		693	00	00	10
	1331	00	02	10		714	00	01	33
	1329	00	02	49		715	00	06	31
	1332	00	05	88		713	00	03	15
	1452	00	00	04		719	00	02	11
	1333	00	12	75		720	00	03	37
	1339	00	06	93		721	00	02	89
	1340	00	06	63		712	00	04	32
	1341	00	01	82		726	00	00	10
	1449	00	01	02		727	00	01	20
	1350	00	01	63		728	00	04	12
	1351	00	00	10		729	00	05	86
	1365	00	04	37		711	00	00	42
	1366	00	04	31		730	00	00	10
	1367	00	01	81		734	00	04	62
	1364	00	01	87		735	00	00	15
	1363	00	01	45		733	00	07	28
	1362	00	01	26		825	00	01	05
	1370	00	01	47		783	00	01	02
	1369	00	00	20		784	00	07	28
	1371	00	01	59		789	00	04	21
	1361	00	04	10		785	00	03	07
	1360	00	00	59		788	00	00	74
	1359	00	05	61		790	00	02	80
	1358	00	00	78		791	00	04	35
	1263	00	01	10		793	00	00	10
	1375	00	00	30		799	00	08	61
(13) Nachhipur	840	00	01	19		800	00	05	75
	679	00	00	76		801	00	00	90
	677	00	02	18		805	00	10	31
	676	00	01	25		798	00	00	39
	674	00	01	47		806	00	00	96
	683	00	05	10		807	00	00	10
	682	00	00	11		808	00	11	01
	672	00	01	25		811	00	03	82
	684	00	05	45		447	00	31	42
						814	00	00	05

1	2	3	4	5	1	2	3	4	5
(14) Kasimpur	920	00	01	35	(14) Kasimpur	750	00	02	33
Contd.	921	00	00	10	Contd.	752	00	01	20
	919	00	09	27		729	00	00	02
	918	00	04	00		728	00	03	82
	916	00	00	23		753	00	03	11
	917	00	04	48		754	00	01	02
	1545	00	06	91		727	00	06	03
	915	00	05	24		614	00	05	51
	913	00	01	49		726	00	00	28
	825	00	01	29		1535	00	01	39
	824	00	03	48		615	00	02	09
	823	00	02	17		613	00	00	58
	822	00	03	24		612	00	00	29
	820	00	06	31		616	00	05	94
	819	00	01	62		618	00	00	26
	816	00	00	82		617	00	05	02
	815	00	04	15		600	00	01	98
	814	00	06	40		596	00	00	10
	811	00	01	60		597	00	03	82
	812	00	09	49		598	00	04	26
	796	00	00	76		599	00	04	96
	795	00	03	56		587	00	05	70
	794	00	04	94		588	00	04	35
	797	00	00	76		589	00	32	70
	798	00	00	10		577	00	00	39
	793	00	07	43		1592	00	00	19
	792	00	03	06		563	00	01	98
	790	00	01	41		573	00	01	14
	791	00	06	74		572	00	04	26
	769	00	04	22		564	00	03	78
	765	00	00	72		569	00	03	26
	766	00	03	55		570	00	02	92
	767	00	07	05		571	00	00	85
	768	00	00	07		568	00	03	51
	746	00	00	66		567	00	05	76
	760	00	02	51		566	00	04	32
	759	00	05	28		539	00	00	51
	758	00	01	45		538	00	07	02
	757	00	00	28		535	00	02	67
	749	00	00	51		536	00	04	51
	751	00	04	45		533	00	00	18

1	2	3	4	5	1	2	3	4	5
(14) Kasimpur	532	00	04	98	(15) Maraigan	188	00	10	82
Contd.	537	00	01	69	Contd.	174	00	00	70
	529	00	01	53		189	00	00	40
	531	00	07	21		190	00	05	15
	530	00	00	48		171	00	01	18
	389	00	04	59		486	00	00	10
	382	00	00	24		170	00	05	84
	444	00	02	53		193	00	00	36
	390	00	12	67		191	00	02	31
	391	00	08	94		192	00	00	10
	392	00	01	17		169	00	07	93
	401	00	02	08		168	00	05	40
	407	00	08	00		167	00	00	14
	408	00	00	72		487	00	02	38
	409	00	00	09		150	00	07	47
	403	00	05	37		1760	00	01	71
	406	00	07	54		497	00	04	38
	411	00	01	55		498	00	03	55
	404	00	00	19		496	00	06	99
	405	00	02	32		493	00	03	15
	1461	00	00	17		492	00	00	10
	414	00	07	24		495	00	05	28
	415	00	05	04		494	00	11	86
	417	00	00	10		550	00	01	22
	416	00	01	30		503	00	00	63
	237	00	13	81		546	00	10	37
	236	00	01	88		545	00	03	37
	235	00	14	70		547	00	17	01
	197	00	02	82		540	00	00	10
	196	00	02	12		539	00	01	80
	195	00	28	23		471	00	10	32
	192	00	11	15		1763	00	00	17
(15) Maraigan	Nala bet VB & suy no. 182	00	02	22		524	00	11	91
	182	00	01	65		1730	00	07	46
	183	00	04	89		522	00	01	25
	1743	00	01	31		521	00	03	39
	178	00	04	93		Nala bet suy no. 521 & VB	00	03	96
	177	00	08	22					
	176	00	02	08					

नई दिल्ली, 28 फरवरी, 2011

का.आ. 680.—केंद्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 2447 दिनांक 10-09-10, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जाएगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी से बहादुरगढ़ (हरियाणा राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा “जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बहादुरगढ़ पेट्रोलियम पाइपलाइन” के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील तलवंडी साबो जिला बठिण्डा राज्य पंजाब की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 20-12-2010 को उपलब्ध कर दी गई थी;

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी ने केंद्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केंद्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग के अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और केंद्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केंद्रीय सरकार में निहित होने की बजाए सभी विल्लगनों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : तलवंडी साबो			जिला : भटिंडा		राज्य : पंजाब		
क्रम सं	गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/किला संख्या	क्षेत्रफल	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	हेक्टेयर	(7)	(8)
1.	फूलो खारी	124	13	9	00	03	28
			18	22	00	12	90
				23	00	05	31
2	त्यौना पुजारीन	130	138	11/2/1	00	07	59
				11/2/2	00	03	79

[फा. सं. आर-31015/42/2009-ओ. आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 28th February, 2011

S.O. 680.—Whereas, by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 2447 dated the 10-09-2010, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi to Bahadurgarh in the State of Haryana by the Hindustan Petroleum Corporation Limited for implementing the “GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh” in Tehsil Talwandi Saboo District Bathinda, in Punjab State;

And whereas, copies of the said gazette notification were made available to the public on 20-12-10.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : Talwandi Saboo			District : Bhatinda		State : Punjab		
S. No.	Name of Village	Hadbast No.	Mustatil No.	Khasra/Killa No.	Hectare	Area Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Phullo Khari	124	13	9	00	03	28
			18	22	00	12	90
				23	00	05	31
2	Teona Pujarin	130	138	11/2/1	00	07	59
				11/2/2	00	03	79

[F. No. R-31015/42/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 1 मार्च, 2011

का.आ. 681.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलाएन्स इंडस्ट्रीज लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-बासुदेवपुर-हावड़ा पाइपलाइन बिछाई जानी चाहिए;

और भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध कर दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री बारिद बरन गुहा, सक्षम प्राधिकारी, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, 7, वूड स्ट्रीट तिसरी मंजिल कोलकाता-700016, पश्चिम बंगाल राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/तहसील/तालुक : इम्रा-II जिला : मेदिनीपुर राज्य : पश्चिम बंगाल

गाँव का नाम	सर्वे सं/सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल हेक्टेयर	एयर	सि एयर
(1)	(2)	(3)	(4)	(5)
(1) कृष्णपुर	105	00	05	63
	104	00	11	26
(2) रुक्मणिपुर	892	00	08	43
	2722	00	08	26
	894	00	06	49
	1910	00	04	43
	895	00	15	61
	896	00	00	15
	897	00	08	60
	888	00	01	19
	898	00	04	62

(1)	(2)	(3)	(4)	(5)
(2) रुक्मणिपुर (निरंतर)	899	00	08	64
	901	00	19	66
	900	00	00	28
	1126	00	00	36
	1936	00	01	14
	1935	00	04	21
	1125	00	06	66
	1937	00	04	38
	1123	00	01	80
	1128	00	03	61
	1127	00	04	02
	1938	00	03	88
	1939	00	03	37
	1129	00	03	71
(3) आमिपाड़ा	4	00	01	43
	7	00	10	77
	6	00	12	72
	5	00	07	10
	14	00	08	44
	10	00	00	22
	177	00	00	39
	11	00	03	08
	13	00	06	23
	12	00	04	48
	25	00	02	42
	27	00	01	94
	26	00	05	64
	381	00	09	54
	22	00	08	76
	23	00	00	10
	20	00	04	44
	382	00	10	48
	44	00	07	56
	45	00	08	93
	59	00	15	82
	31	00	00	33
	58	00	05	62
	57	00	07	18
	56	00	01	36
	384	00	09	75
	55	00	01	15
	53	00	00	66
	388	00	00	29

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) आमिपाडा (निरंतर)	137	00	02	97	(5) उत्तर दाउदपुर	1012	00	04	96
	136	00	08	19	(निरंतर)	1019	00	04	06
	387	00	04	87		1017	00	00	10
	135	00	06	66		1008	00	11	68
	134	00	03	46		1007	00	00	88
	157	00	04	32		977	00	07	72
	158	00	06	50		936	00	06	74
	156	00	05	42		935	00	10	68
	164	00	06	41		924	00	15	31
	165	00	06	75		925	00	00	35
	389	00	02	74		923	00	15	98
	394	00	00	80		905	00	10	00
	166	00	05	56		906	00	14	72
	395	00	01	60		907	00	02	40
	167	00	02	73		902	00	07	26
	168	00	01	20		809	00	04	00
	396	00	01	00		901	00	22	48
	201	00	00	49		200	00	24	56
	169	00	05	37		1142	00	01	44
	199	00	05	13		1143	00	00	19
	198	00	02	16		1145	00	13	04
	197	00	04	59		1163	00	05	85
	195	00	00	10		1164	00	00	26
	196	00	02	96		1162	00	12	41
	325	00	09	24		1150	00	06	45
	193	00	05	02		सर्वे सं. 1150	00	03	51
	194	00	02	50		और 1157 के			
	192	00	01	50		बीच में			
	190	00	08	34		1157	00	08	83
	189	00	03	43		1223	00	00	21
	191	00	00	84		1224	00	12	27
	186	00	01	40		1233	00	06	20
(4) निजदांडा	102	00	08	93		1225	00	02	42
	100	00	03	80		1235	00	02	76
	106	00	00	35		1234	00	08	64
	465	00	08	33		1232	00	08	99
	108	00	04	51		1237	00	00	10
	109	00	05	01		1231	00	17	88
(5) उत्तर दाउदपुर	गांव सीमा और	00	06	07		1243	00	22	29
	सर्वे सं. 1012 के					774	00	01	37
	बीच में								

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) उत्तर दाउदपुर (निरंतर)	775	00	19	15	(6) उत्तर सिलमपुर (निरंतर)	1535	00	04	91
	1245	00	12	90		230	00	08	60
	779	00	06	25		2748	00	37	59
	777	00	01	60		267	00	21	72
	1349	00	14	40		266	00	17	92
	1350	00	10	86		262	00	00	98
सर्वे सं. 1350	00	02	22			246	00	18	86
और 856 के						2749	00	03	01
बीच में						2750	00	13	09
856	00	17	59			247	00	10	31
3611	00	08	30			250	00	00	59
3697	00	00	73			239	00	29	28
3701	00	01	49			238	00	10	56
3702	00	08	18			240	00	01	45
855	00	00	94			231	00	01	22
857	00	00	07			216	00	47	89
3703	00	02	19			220	00	20	58
3709	00	08	07			221	00	12	96
3710	00	08	70			211	00	10	32
3707	00	11	67			212	00	09	07
854	00	21	87			209	00	04	52
3711	00	14	58			208	00	24	90
850	00	17	57			194	00	01	57
सर्वे सं. 850 और	00	00	85			193	00	01	87
गांव सीमा के						791	00	38	45
बीच में						187	00	07	53
(6) उत्तर सिलमपुर	561	00	08	80		169	00	15	51
	560	00	01	55		155	00	11	12
	333	00	06	03		153	00	03	26
	334	00	03	33		132	00	00	52
	332	00	15	56		133	00	03	33
	339	00	11	15		134	00	16	94
	338	00	09	41		139	00	17	37
	344	00	01	42		152	00	35	60
	343	00	06	47		2057	00	01	96
	346	00	06	16		2058	00	00	09
	352	00	04	06		2829	00	06	79
	347	00	13	17		2053	00	00	89
	348	00	06	75		2056	00	13	65
	349	00	00	05		2055	00	23	17
	1534	00	01	04		2064	00	00	36

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(6) उत्तर सिलमपुर (निरंतर)	2828	00	08	39	(7) दरबार खान बार	275	00	02	86
	2054	00	01	18		274	00	10	35
	2831	00	08	98		441	00	16	33
	2066	00	00	10		401	00	08	13
	2834	00	07	15		35	00	02	48
	2832	00	02	83		36	00	10	33
	2833	00	12	67		34	00	13	39
	2046	00	01	45		39	00	00	10
	2838	00	08	91		32	00	09	33
	2098	00	00	62		31	00	33	52
	2839	00	00	39		30	00	00	92
	2840	00	00	24		17	00	08	90
	2842	00	00	10		22	00	00	10
	2099	00	22	67	(8) जगन्नाथ कारबार	गांव सीमा और	00	02	78
	2837	00	08	24		सर्वे सं. 1004			
	2836	00	01	54		के बीच में			
	2100	00	01	69		1004	00	05	16
	2823	00	00	10		207	00	01	14
	2039	00	02	60		208	00	04	74
	2038	00	08	24		209	00	01	68
	2037	00	02	21		210	00	08	21
	2111	00	08	56		213	00	04	79
	2306	00	15	09		219	00	00	10
	2107	00	15	21		212	00	09	60
	2108	00	01	59		202	00	00	70
	1993	00	11	93		228	00	07	00
	1994	00	08	84		229	00	04	59
	1995	00	08	53		230	00	08	27
	1998	00	07	22		231	00	00	89
	1997	00	00	78		198	00	08	93
	1999	00	02	40		199	00	04	08
	2000	00	01	77		200	00	00	12
	2001	00	05	33		197	00	09	17
	2002	00	08	65		196	00	11	08
	2003	00	00	43		301	00	02	40
	2004	00	08	08		183	00	00	40
	2005	00	10	29		179	00	04	01
	2006	00	00	19		174	00	09	61
	2007	00	08	93		178	00	00	50
	2008	00	04	77		177	00	00	10
	2009	00	04	80		176	00	05	66
	2010	00	04	29		175	00	01	08
	1990	00	16	87		172	00	08	55
	2011	00	00	83		173	00	08	86
	1989	00	25	04		303	00	08	70
	1988	00	08	01		304	00	00	36
	1983	00	00	26					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(8) जगन्नाथ कारबार (निरंतर)	162	00	17	66	(9) पाइकबर (निरंतर)	56	00	02	32
	161	00	02	62		8	00	04	36
	305	00	01	15	मंडल/तहसील/तालुक : भगवानपुर-II जिला : मेदिनीपुर				
	360	00	01	20	राज्य : पश्चिम बंगाल				
	361	00	08	82	(1) पुरुलिया	गांव सीमा और	00	02	39
	97	00	01	76		सर्वे सं. 21 के			
	160	00	00	10		खंड में			
	363	00	09	98		21	00	00	17
	365	00	07	97		10	00	16	07
	366	00	09	21		9	00	04	06
	367	00	09	31		11	00	07	51
	368	00	08	52		18	00	09	32
	358	00	01	47		17	00	10	08
	369	00	00	10		16	00	07	98
	376	00	18	38		15	00	02	02
	377	00	01	17		38	00	08	68
	374	00	00	46		39	00	08	54
	375	00	07	68		40	00	00	49
	378	00	06	53		47	00	02	41
	373	00	00	39		41	00	04	79
	386	00	19	64		42	00	04	17
	388	00	16	37		43	00	04	95
	387	00	01	70		44	00	01	05
	399	00	04	79		46	00	08	11
	400	00	15	89		46	00	02	96
	522	00	16	21		54	00	01	15
	401	00	06	69		55	00	08	72
	426	00	08	80		59	00	07	61
	425	00	07	33		59	00	08	51
	427	00	00	29		58	00	02	71
	424	00	01	78		57	00	08	64
	428	00	13	12		63	00	13	08
	423	00	08	90		3	00	02	15
	436	00	11	00		1	00	08	15
	438	00	16	87	(2) नया बस्ती डर्फ	2	00	00	14
(9) पाइकबर	62	00	05	31	बादपुलिया	1	00	01	09
	61	00	14	33		109	00	01	94
	60	00	05	59		137	00	05	24
	59	00	04	08		158	00	10	36
	41	00	00	81		157	00	01	24
	42	00	81	87		159	00	17	38
	39	00	00	98		160	00	12	14
	52	00	01	70		153	00	00	91
	12	00	24	07		152	00	04	95
	11	00	09	45		161	00	08	61
	15	00	06	40		207	00	07	89
	9	00	25	64		206	00	08	36
						205	00	14	23
						194	00	02	90

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) नया बसन उर्फ	195	00	00	40	(2) नया बसन उर्फ	964	00	00	10
धाइपुखुरिया (निरंतर)	204	00	11	55	धाइपुखुरिया (निरंतर)	871	00	01	15
	203	00	00	62		949	00	01	36
	198	00	00	62		2454	00	00	98
	199	00	05	50		2453	00	14	67
	201	00	12	56		2452	00	02	15
	200	00	07	87		2451	00	00	40
	292	00	02	08		977	00	03	78
	331	00	00	51		978	00	22	88
	330	00	03	77		2466	00	12	49
	329	00	06	78		2467	00	00	37
	325	00	00	17		2465	00	05	08
	328	00	07	21		2464	00	03	70
	326	00	21	93		981	00	02	00
	320	00	17	67		985	00	01	45
	2245	00	04	31		987	00	12	29
	317	00	02	72		988	00	12	17
	344	00	05	05		989	00	02	65
	1138	00	02	47		996	00	04	99
	1137	00	00	96		997	00	05	57
	1143	00	03	47		998	00	11	96
	1142	00	03	27		1000	00	09	58
	2510	00	12	19		1007	00	10	60
	2508	00	01	36		1009	00	00	37
	2509	00	12	85		833	00	04	52
	2502	00	02	20		1010	00	04	19
	1355	00	41	33		1011	00	00	16
	1348	00	01	29		832	00	01	30
	2492	00	05	69		831	00	08	93
	1354	00	18	53		830	00	02	90
	2486	00	17	91		829	00	02	91
	2487	00	11	82		825	00	02	38
	1361	00	23	10		2239	00	03	17
	1311	00	01	61	(3) ज्यागोडी	323	00	01	90
	1362	00	01	57		322	00	03	15
	1363	00	01	06		314	00	02	59
	1364	00	00	91		310	00	55	61
	1365	00	00	10		217	00	01	99
	1366	00	16	45		216	00	02	26
	1367	00	02	84		215	00	01	42
	1368	00	01	78		483	00	14	93
	2546	00	11	01		491	00	00	89
	960	00	06	07		492	00	03	95
	2376	00	04	08		493	00	06	16
	961	00	07	68		494	00	06	03
	962	00	00	55		212	00	12	81
	963	00	00	11					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) ज्यागोडी (निरंतर)	495	00	09	19	(4) रघुनाथ चक्र (निरंतर)	295	00	06	98
	496	00	05	60		302	00	07	19
	497	00	00	31		293	00	02	74
	237	00	02	10		548	00	00	19
	511	00	02	33		304	00	01	89
	512	00	08	29		303	00	02	23
	516	00	04	66		322	00	05	81
	213	00	06	05		390	00	05	52
	515	00	03	72		397	00	00	47
	465	00	06	80		392	00	00	60
	466	00	07	30		391	00	09	32
	467	00	03	27		625	00	10	33
	172	00	00	11		389	00	01	10
	463	00	06	49		386	00	05	89
	462	00	08	75		385	00	02	54
	461	00	08	83		384	00	10	33
	460	00	06	83		566	00	05	10
	459	00	02	55		380	00	02	89
	458	00	02	50		565	00	03	24
	173	00	00	46		564	00	02	98
	174	00	02	08		379	00	05	81
	171	00	02	03		377	00	06	57
	170	00	01	32		370	00	06	06
	122	00	00	76		369	00	04	88
	168	00	00	55		371	00	00	10
	175	00	00	35		366	00	00	44
	169	00	00	76		367	00	01	57
	सर्वे सं. 168	00	01	17		368	00	04	17
	और गांव सीमा					559	00	01	65
	के बीच में					558	00	01	34
(4) रघुनाथ चक्र	गांव सीमा और	00	01	24		360	00	00	90
	सर्वे सं. 537					557	00	00	64
	के बीच में					556	00	00	43
	537	00	00	59		357	00	00	45
	284	00	00	63		563	00	01	23
	543	00	02	42		562	00	01	57
	542	00	12	17		361	00	01	54
	541	00	06	13		561	00	01	71
	546	00	06	25		560	00	01	90
	290	00	06	07		355	00	06	33
	545	00	11	02		354	00	10	71
	291	00	12	41		350	00	06	51
	292	00	02	75		352	00	00	79
	555	00	01	21		351	00	03	94
	296	00	05	51		347	00	00	10
	294	00	02	09		सर्वे सं. 347	00	03	08

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(4) रघुनाथ चक्र (निरंतर)	और 479 के बीच में				(6) एकतारपुर (निरंतर)	303	00	08	84
	479	00	07	62		304	00	10	16
(5) रानी चक्र	82	00	07	71		2106	00	00	97
	7	00	07	49		219	00	01	31
	4	00	43	59		316	00	10	86
	11	00	04	08		317	00	14	01
	12	00	06	17		318	00	03	36
	13	00	01	95		315	00	00	10
	14	00	08	15		319	00	12	66
	17	00	00	10		488	00	01	28
	19	00	14	15		914	00	03	15
	20	00	00	39		915	00	01	52
(6) एकतारपुर	156	00	05	01		916	00	03	46
	157	00	02	17		917	00	00	10
	160	00	12	66		918	00	00	80
	161	00	17	17		913	00	05	18
	162	00	00	63		919	00	13	21
	181	00	07	17		902	00	00	10
	183	00	01	75		901	00	01	45
	182	00	05	77		920	00	04	09
	180	00	09	77		898	00	00	18
	179	00	00	12		900	00	07	09
	173	00	07	72		899	00	03	14
	178	00	09	02		2861	00	01	87
	201	00	08	18		845	00	01	14
	200	00	14	71		856	00	00	82
	203	00	00	17		857	00	01	23
	199	00	13	14		865	00	06	30
	247	00	01	59		896	00	00	12
	248	00	11	11		891	00	00	13
	249	00	12	83		866	00	10	98
	250	00	03	38		864	00	02	11
	280	00	00	10		867	00	00	61
	229	00	05	67		882	00	00	22
	228	00	03	86		878	00	04	16
	230	00	03	10		871	00	03	36
	232	00	00	67		877	00	06	19
	233	00	00	10		879	00	00	97
	2132	00	05	35		876	00	06	82
	227	00	01	72		875	00	06	67
	226	00	05	53		873	00	00	10
	225	00	10	50		874	00	02	42
	293	00	01	66		1339	00	17	12
	224	00	01	73		1340	00	07	90
	302	00	12	20		567	00	01	16
						569	00	00	10

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(6) एकतारपुर (निरंतर)	566	00	01	35	(7) माधा खलि (निरंतर)	1125	00	00	31
	565	00	08	60		1124	00	08	81
	560	00	14	39		1126	00	00	93
	559	00	00	51		1127	00	01	05
	558	00	08	84		1128	00	08	20
	562	00	00	10		1130	00	09	99
	561	00	02	67		1129	00	00	92
	563	00	00	27		1107	00	00	10
	573	00	10	08		1104	00	13	85
	551	00	08	08		1133	00	02	84
	550	00	01	95		1132	00	00	05
	553	00	00	56		1134	00	00	76
	552	00	05	10		1144	00	00	10
	548	00	05	28		1135	00	12	81
	547	00	02	21		1137	00	00	33
	546	00	01	41		1136	00	08	57
	545	00	08	32		1085	00	00	38
	544	00	01	61		1138	00	00	32
	1367	00	01	42		1139	00	20	17
	1426	00	01	88		1082	00	02	53
	1427	00	12	50		1313	00	23	06
	1428	00	08	29		1312	00	02	57
	1422	00	00	10		1306	00	04	89
	1429	00	01	53		2754	00	05	92
	1450	00	13	17		1324	00	12	24
	1449	00	00	10		1304	00	06	56
	1451	00	00	91		1325	00	02	41
	1452	00	00	10		1326	00	05	13
	1448	00	08	15		1328	00	00	38
	1447	00	09	01		1329	00	02	15
	1473	00	08	47		1332	00	04	51
	1446	00	02	41		1345	00	02	17
	1445	00	01	19		1330	00	04	99
	1444	00	00	54		1331	00	08	54
	1436	00	01	08		1346	00	08	83
	1440	00	05	08		1344	00	07	85
	1441	00	08	14		2800	00	08	17
	1438	00	00	83		1347	00	05	87
	1439	00	01	62		1348	00	00	44
(7) माधा खलि	246	00	06	72		1349	00	00	10
	1152	00	02	39		2801	00	09	05
	1117	00	01	81		1350	00	11	39
	2737	00	00	10		1431	00	00	23
	1121	00	04	55		2768	00	06	16
	1120	00	02	38		1372	00	00	10
	1122	00	02	27		2767	00	04	93

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(7) माधा खलि (निरंतर)	1373	00	04	70	(8) बामुणिआ (निरंतर)	352	00	00	48
	2766	00	02	65		270	00	29	94
	1374	00	11	32		266	00	01	95
	1394	00	05	14		263	00	09	05
	1395	00	01	10		269	00	16	91
	1396	00	04	04		157	00	00	25
	1397	00	00	10		262	00	02	84
	1393	00	04	82		158	00	16	82
	1400	00	00	84		159	00	20	44
	1401	00	03	81		107	00	02	14
	1392	00	01	63		160	00	13	19
	1411	00	01	70		89	00	05	17
	2459	00	00	54		88	00	18	95
	2458	00	09	28		87	00	00	10
	2457	00	09	08		84	00	07	23
	2463	00	11	83		85	00	04	78
	2466	00	00	10		82	00	02	07
	2465	00	03	48		86	00	00	18
	2464	00	05	79		सर्वे सं. 86	00	06	24
	2467	00	04	60		और 81			
	2455	00	08	69		के बीच में			
	2468	00	00	35		81	00	01	12
	2454	00	04	15		80	00	02	01
	2452	00	02	53		79	00	03	63
	2474	00	01	89		53	00	20	79
(8) बामुणिआ	299	00	01	45		सर्वे सं. 53	00	02	29
	298	00	04	71		और 66			
	293	00	06	34		के बीच में			
	295	00	05	06		66	00	12	85
	297	00	00	91		67	00	10	37
	294	00	06	32		65	00	02	15
	296	00	21	81		218	00	11	52
	332	00	08	15		62	00	13	15
	340	00	07	95		63	00	01	80
	339	00	10	71		61	00	10	93
	341	00	06	19		60	00	01	88
	338	00	03	50	(9) सरनिआ	263	00	01	60
	337	00	26	38		292	00	10	27
	336	00	00	10		294	00	00	10
	355	00	02	85		293	00	01	21
	सर्वे सं. 355	00	00	94		628	00	00	10
	और 357					138	00	02	47
	के बीच में					627	00	01	14
	357	00	00	65		296	00	11	71
	354	00	02	91		297	00	02	91
	353	00	02	37		629	00	01	88

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(9) गरुआ (निरंतर)	580	00	08	92	(1) पाणिनाल (निरंतर)	82	00	08	57
	579	00	01	22		83	00	47	29
	583	00	00	44	(2) इस्माइलपुर	185	00	02	11
	578	00	29	92		174	00	01	27
	581	00	00	87		175	00	01	35
	582	00	02	06		176	00	01	84
	538	00	14	13	(3) सतशातमल	207	00	07	60
	536	00	00	60		206	00	02	81
	537	00	05	89		205	00	02	82
	539	00	08	97		1212	00	06	41
	541	00	09	65		1208	00	08	43
	542	00	08	41		1209	00	15	31
	533	00	12	40		1210	00	02	17
	532	00	05	89		1211	00	01	50
	527	00	00	21		1207	00	21	65
	526	00	21	07		1206	00	02	21
	524	00	13	15		1224	00	06	70
	523	00	12	26		157	00	05	23
	517	00	11	71		1226	00	00	49
	516	00	04	32		156	00	29	79
	514	00	04	89		124	00	01	36
	513	00	00	78		125	00	04	86
	515	00	05	65		115	00	27	60
	500	00	04	90		123	00	23	78
	598	00	01	29		98	00	08	65
	499	00	04	23		116	00	20	36
	496	00	09	27		121	00	01	13
	597	00	23	60		120	00	09	63
	447	00	17	63		117	00	00	10
	448	00	13	32		119	00	48	49
	645	00	07	11		79	00	05	24
	449	00	02	34		78	00	15	51
	50	00	01	39		77	00	05	42
	1	00	08	58		76	00	07	68
(10) बूदाबनपुर	1107	00	00	10		75	00	01	06
	1106	00	18	41		सर्वे सं. 75	00	02	71
	1235	00	00	48		और 352			
	1236	00	05	41		के बीच में			
	1109	00	05	95		352	00	11	38
	1234	00	11	26		356	00	00	10
	1110	00	02	53		353	00	08	16
	1111	00	07	10		354	00	08	29
	1112	00	12	63		355	00	08	53
	1113	00	15	65		357	00	00	29
	874	00	01	44		358	00	00	62
						359	00	01	62
मंडल/तहसील/तासुक : पोटाशपुर-II जिला : मेदिनीपुर									
					राज्य : पश्चिम बंगाल				
(1) पाणिनाल	84	00	04	49					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) सतशातमल (निरंतर)	351	00	02	85	(4) संदलपुर (निरंतर)	1171	00	01	89
(4) संदलपुर	1356	00	04	44		1082	00	01	48
	1357	00	10	85		759	00	03	33
	1355	00	00	34		757	00	04	04
	1358	00	05	53		756	00	11	39
	1360	00	07	20		755	00	10	19
	1359	00	05	66		2272	00	00	10
	1361	00	00	72		2265	00	01	66
	1344	00	02	76		753	00	14	52
	1245	00	01	83		754	00	02	70
	1246	00	02	91		744	00	16	80
	1390	00	01	60		1852	00	07	54
	1244	00	01	38		1848	00	02	66
	1249	00	02	92		1849	00	06	84
	1248	00	03	80		1847	00	06	64
	1250	00	01	80		1866	00	02	93
	1240	00	00	91		2248	00	03	48
	1242	00	00	10		1845	00	04	96
	1251	00	03	41		1868	00	15	94
	1252	00	08	09		1870	00	02	99
	1255	00	01	39		1838	00	29	31
	1253	00	11	83		1837	00	02	32
	1135	00	05	69		1828	00	07	60
	1132	00	01	87		2328	00	02	08
	1134	00	06	69		1826	00	01	53
	1133	00	00	13		1829	00	04	97
	1148	00	11	51		1830	00	08	24
	1147	00	09	17		1815	00	25	77
	1146	00	00	16		1814	00	06	58
	1149	00	01	21		1501	00	02	71
	1150	00	15	53		1500	00	15	84
	1153	00	02	30		1496	00	21	02
	1152	00	10	15		1497	00	02	55
	1151	00	00	10		1490	00	00	02
	1099	00	01	37		1495	00	06	95
	1156	00	04	71		1494	00	19	77
	1157	00	12	22		1450	00	00	05
	1163	00	12	58		1493	00	08	99
	1161	00	00	93		1451	00	03	52
	2162	00	03	48		1453	00	12	09
	1164	00	01	07		1452	00	01	04
	1165	00	07	27		1433	00	13	32
	1166	00	11	31		1432	00	19	66
	1167	00	04	28		सर्वे सं. 1432	00	00	66
	1172	00	00	68		और गांव सीमा			
	1169	00	04	59		के बीच में			
	1388	00	05	22					
	1170	00	06	42					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) बाबुविदारी	1497	00	01	14	(5) बाबुविदारी (निरंतर)	1015	00	00	10
	1498	00	01	98		1021	00	09	88
	1499	00	01	79		1022	00	08	92
	1500	00	19	58		1120	00	08	38
	1501	00	00	90		1047	00	00	10
	1542	00	13	94		1104	00	29	11
	1540	00	04	01		1103	00	07	83
	1688	00	07	46		1100	00	07	74
	1544	00	02	88		1106	00	00	17
	1539	00	00	44		1099	00	10	29
	1538	00	13	35		1080	00	01	04
	1545	00	17	76		1097	00	04	49
	1536	00	00	96		1098	00	11	33
	1547	00	08	89		1090	00	15	62
	1546	00	07	58		1091	00	00	96
	1553	00	01	67		1089	00	13	95
	1554	00	04	62		1086	00	14	89
	1555	00	00	55		309	00	01	81
	1562	00	14	07		308	00	12	73
	1244	00	04	96		1087	00	01	48
	1243	00	07	48	(6) सिक्करी	28	00	02	08
	1215	00	04	38		280	00	16	43
	1253	00	01	60		276	00	00	65
	1250	00	16	26		277	00	06	42
	1251	00	02	08		279	00	08	70
	1248	00	00	94		273	00	02	54
	1249	00	18	00		278	00	12	95
	1237	00	05	49		266	00	02	30
	1236	00	09	54		270	00	08	44
	1238	00	05	86		271	00	08	94
	1185	00	06	37		272	00	08	49
	1239	00	00	20		30	00	01	49
	1184	00	13	96		35	00	00	10
	1183	00	00	89		36	00	08	22
	1130	00	08	48		37	00	09	63
	1131	00	00	10		247	00	01	07
	1129	00	07	21		38	00	00	54
	1128	00	04	48		88	00	01	29
	1009	00	00	60		89	00	00	10
	1127	00	02	26		87	00	10	34
	1133	00	00	18		86	00	00	53
	1134	00	00	30		92	00	11	40
	1012	00	11	41		98	00	07	25
	1126	00	00	81		94	00	07	42
	1125	00	00	10		97	00	11	83
	1014	00	02	79		96	00	09	16

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(6) सियनरी (निरंतर)	73	00	00	10	(1) शकुलापुर (निरंतर)	841	00	00	10
	106	00	12	67		882	00	02	60
	105	00	09	91		881	00	08	90
	107	00	01	86		1532	00	00	70
	112	00	03	88		880	00	06	97
	113	00	00	10		883	00	00	54
	111	00	07	58		879	00	15	64
	127	00	06	15		872	00	00	36
	125	00	01	93		873	00	05	21
	126	00	04	06		874	00	05	33
	128	00	01	36		875	00	03	33
	124	00	08	85		876	00	01	29
	121	00	04	13		1143	00	48	15
	123	00	01	97		1144	00	11	84
	122	00	17	27		1191	00	10	56
	133	00	01	46		1145	00	02	28
	134	00	03	71		1146	00	18	25
	148	00	00	61		1149	00	09	31
	147	00	09	96		1150	00	11	31
	146	00	03	08		1151	00	02	41
	145	00	04	54		1122	00	01	13
	144	00	00	10		1121	00	12	94
	143	00	11	98		1153	00	00	66
	142	00	01	68		1119	00	06	54
	500	00	02	78		1383	00	01	47
मंडल/तहसील/तालुक : भगवानपुर-I जिला : मेदिनीपुर						1120	00	07	56
राज्य : पश्चिम बंगाल						1110	00	04	43
(1) शकुलापुर	1374	00	02	90		सर्वे सं. 1110	00	01	05
	1373	00	02	53		और गांव सीमा			
	779	00	00	33		के बीच में			
	1506	00	14	05	मंडल/तहसील/तालुक : सुताहाटा-II जिला : मेदिनीपुर				
	783	00	19	06	राज्य : पश्चिम बंगाल				
	1502	00	03	04	(1) बनिबस्तुपुर	1	00	04	13
	1505	00	09	12		276	00	01	71
	784	00	03	47		3	00	02	07
	782	00	01	09		17	00	03	85
	785	00	02	18		56	00	01	91
	835	00	04	62		57	00	00	62
	834	00	02	01	(2) बालुघाट	174	00	02	56
	836	00	00	10		18	00	04	43
	836	00	02	76		175	00	02	24
	837	00	22	77		199	00	05	82
	1525	00	01	00		200	00	13	94
	838	00	12	78		210	00	01	92
	839	00	03	71		201	00	01	31
	840	00	03	59					
	843	00	11	52					
	842	00	15	35					

[फा. सं. एल. 14014/10/2011-जी.पी.]
के. के. शर्मा, अवर सचिव

New Delhi, the 1st March, 2011

S.O. 681.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East Coast of Andhra Pradesh of M/s. Reliance Industries Limited to consumers in various parts of the country, Kakinada—Basudebpur—Howrah pipeline should be laid by M/s. Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in Land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Barid Baran Guha, Competent Authority, Relogistics Infrastructure Limited, 7, Wood Street, 3rd Floor, Kolkata - 700 016, West Bengal State.

SCHEDULE

Mandal/Tehsil/ District : Medinipur State : West Bengal
Taluk : Egra-II

Village	Survey No./ Sub-Division	Area to be acquired for ROU		
		Hec	Are	C-Are
(1)	(2)	(3)	(4)	(5)
(1) Krishnapur	105	00	05	63
	104	00	11	26
(2) Rukminipur	892	00	03	43
	2722	00	03	26
	894	00	06	49
	1910	00	04	43
	895	00	15	61
	896	00	00	15
	897	00	08	60
	888	00	01	19
	898	00	04	62

(1)	(2)	(3)	(4)	(5)
(2) Rukminipur (Contd.)	899	00	03	64
	901	00	19	65
	900	00	00	28
	1126	00	00	36
	1936	00	01	14
	1935	00	04	21
	1125	00	06	65
	1937	00	04	38
	1123	00	01	80
	1128	00	03	61
	1127	00	04	02
	1938	00	03	88
	1939	00	03	37
	1129	00	03	71
(3) Amipara	4	00	01	43
	7	00	10	77
	6	00	12	72
	5	00	07	10
	14	00	08	44
	10	00	00	22
	177	00	00	39
	11	00	03	08
	13	00	06	23
	12	00	04	48
	25	00	02	42
	27	00	01	94
	26	00	05	64
	381	00	09	54
	22	00	08	76
	23	00	00	10
	20	00	04	44
	382	00	10	48
	44	00	07	56
	45	00	08	93
	59	00	15	82
	31	00	00	33
	58	00	05	62
	57	00	07	18
	56	00	01	36
	384	00	01	75
	55	00	01	15
	53	00	00	65
	388	00	00	29

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) Amipara (Contd.)	137	00	02	97	(5) Uttar Daudpur (Contd.)	1012	00	04	96
	136	00	08	19		1019	00	04	05
	387	00	04	87		1017	00	00	10
	135	00	06	66		1008	00	11	68
	134	00	03	46		1007	00	00	88
	157	00	04	32		977	00	07	72
	158	00	06	50		936	00	06	74
	156	00	05	42		935	00	10	08
	164	00	06	41		924	00	15	31
	165	00	06	75		925	00	00	35
	389	00	02	74		923	00	15	95
	394	00	00	80		906	00	10	00
	166	00	05	56		906	00	14	72
	395	00	01	60		907	00	02	40
	167	00	02	73		902	00	07	26
	168	00	01	20		809	00	04	00
	396	00	01	00		901	00	22	48
	201	00	00	49		200	00	24	56
	169	00	05	37		1142	00	01	44
	199	00	05	13		1143	00	00	19
	198	00	02	16		1145	00	13	04
	197	00	04	59		1163	00	06	85
	195	00	00	10		1164	00	00	26
	196	00	02	96		1162	00	12	41
	325	00	09	24		1150	00	06	43
	193	00	05	02		In bet suy no.	00	03	51
	194	00	02	50		1150 & 1157			
	192	00	01	50		1157	00	08	83
	190	00	08	34		1223	00	00	21
	189	00	03	43		1224	00	12	27
	191	00	00	84		1233	00	06	20
	186	00	01	40		1225	00	02	42
(4) Nijadanda	102	00	08	98		1235	00	02	76
	100	00	03	80		1234	00	08	64
	106	00	00	35		1232	00	08	99
	465	00	08	33		1237	00	00	10
	108	00	04	51		1231	00	17	88
	109	00	05	01		1243	00	22	29
(5) Uttar Daudpur	In bet VB & suy no. 1012	00	06	07		774	00	01	37
						775	00	19	15
						1245	00	12	90
						779	00	05	25

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) Uttar Daudpur (Contd.)	777	00	01	60	Uttar Silampur (Contd.)	262	00	00	98
	1349	00	14	40		246	00	18	86
	1350	00	10	86		2749	00	08	01
	In bet suy no.	00	02	22		2750	00	13	09
	1350 & 856					247	00	10	31
	856	00	17	53		250	00	00	59
	3611	00	08	30		239	00	29	28
	3697	00	00	73		238	00	10	56
	3701	00	01	49		240	00	01	45
	3702	00	08	18		231	00	01	22
	855	00	00	94		216	00	47	89
	857	00	00	07		220	00	20	58
	3703	00	02	19		221	00	12	96
	3709	00	08	07		211	00	10	32
	3710	00	08	70		212	00	09	07
	3707	00	11	67		209	00	04	52
	854	00	21	87		208	00	24	90
	3711	00	14	58		194	00	01	57
	850	00	17	57		193	00	01	87
	In bet suy no.	00	00	85		791	00	38	45
	850 & VB					187	00	07	53
(6) Uttar Silampur	561	00	08	80		169	00	15	51
	560	00	01	55		155	00	11	12
	333	00	05	08		153	00	08	26
	334	00	08	33		132	00	00	52
	332	00	15	56		133	00	08	33
	339	00	11	15		134	00	16	94
	338	00	09	41		139	00	17	37
	344	00	01	42		152	00	35	60
	343	00	06	47		2057	00	01	96
	346	00	05	16		2058	00	00	09
	352	00	04	06		2829	00	05	79
	347	00	13	17		2053	00	00	89
	348	00	05	75		2056	00	13	65
	349	00	00	05		2055	00	23	17
	1534	00	01	04		2064	00	00	36
	1535	00	04	91		2828	00	08	39
	230	00	08	60		2054	00	01	18
	2748	00	37	59		2831	00	08	98
	267	00	21	72		2066	00	00	10
	266	00	17	92		2834	00	07	15
						2832	00	02	83

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Uttar Silampur (Contd.)	2833	00	12	67	Darbar Khan Bar (Contd.)	36	00	10	33
	2046	00	01	45		34	00	13	39
	2838	00	08	91		39	00	00	10
	2098	00	00	62		32	00	09	33
	2839	00	00	39		31	00	33	52
	2840	00	00	24		30	00	00	92
	2842	00	00	10		17	00	03	90
	2099	00	22	67		22	00	00	10
	2837	00	08	24	(8) Jagannaath Karbar	In bet VB &	00	02	78
	2836	00	01	54		suy no. 1004			
	2100	00	01	69		1004	00	05	16
	2823	00	00	10		207	00	01	14
	2039	00	02	60		208	00	04	74
	2038	00	08	24		209	00	01	68
	2037	00	02	21		210	00	03	21
	2111	00	08	56		213	00	04	79
	2306	00	15	09		219	00	00	10
	2107	00	15	21		212	00	09	60
	2108	00	01	59		202	00	00	70
	1993	00	11	93		228	00	07	00
	1994	00	03	84		229	00	04	59
	1995	00	03	53		230	00	03	27
	1998	00	07	22		231	00	00	89
	1997	00	00	78		198	00	03	93
	1999	00	02	40		199	00	04	03
	2000	00	01	77		200	00	00	12
	2001	00	05	33		197	00	09	17
	2002	00	03	65		196	00	11	08
	2003	00	00	43		301	00	02	40
	2004	00	08	08		183	00	00	40
	2005	00	10	29		179	00	04	01
	2006	00	00	19		174	00	09	61
	2007	00	03	93		178	00	00	50
	2008	00	04	77		177	00	00	10
	2009	00	04	80		176	00	05	66
	2010	00	04	29		175	00	01	08
	1990	00	16	87		172	00	08	55
	2011	00	00	83		173	00	08	86
	1989	00	25	04		303	00	03	70
	1988	00	08	01		304	00	00	36
	1983	00	00	26		162	00	17	66
(7) Darbar Khan Bar	275	00	02	86		161	00	02	62
	274	00	10	35		305	00	01	15
	441	00	16	33		360	00	01	20
	401	00	08	13		361	00	08	82
	35	00	02	48		97	00	01	76
						160	00	00	10

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Jagannath Karbar (Contd.)	363	00	09	98	(1) Purulia (Contd.)	10	00	16	07
	365	00	07	97		9	00	04	06
	366	00	09	21		11	00	07	51
	367	00	09	31		18	00	09	32
	368	00	08	52		17	00	10	08
	358	00	01	47		16	00	07	98
	369	00	00	10		15	00	02	02
	376	00	18	58		38	00	08	66
	377	00	01	17		39	00	03	54
	374	00	00	45		40	00	00	49
	375	00	07	63		477	00	02	41
	378	00	06	53		41	00	04	79
	373	00	00	39		42	00	04	17
	386	00	19	64		43	00	04	95
	388	00	16	37		44	00	01	05
	387	00	01	70		46	00	08	11
	399	00	04	79		45	00	02	96
	400	00	15	89		54	00	01	15
	522	00	16	21		55	00	08	72
	401	00	05	69		53	00	07	61
	426	00	08	80		489	00	08	51
	425	00	07	33		58	00	02	71
	427	00	00	29		57	00	03	64
	424	00	01	78		63	00	13	03
	428	00	13	12		3	00	02	15
	423	00	08	90		1	00	03	15
	436	00	11	00	(2) Naya Basan Urf	2	00	00	14
	438	00	16	87	Dhaipukhuria	1	00	01	09
(9) Paikbar	62	00	05	31		109	00	01	94
	61	00	14	33		137	00	05	24
	60	00	05	59		158	00	10	36
	59	00	04	08		157	00	01	24
	41	00	00	81		159	00	17	38
	42	00	81	87		160	00	12	14
	39	00	00	98		153	00	00	91
	52	00	01	70		152	00	04	95
	12	00	24	07		161	00	03	61
	11	00	09	45		207	00	07	89
	15	00	05	40		206	00	08	36
	9	00	25	64		205	00	14	23
	56	00	02	32		194	00	02	90
	8	00	04	36		195	00	00	40
Mandal/Tehsil/Taluk : Bhagawanpur-II Dist. : Medinipur						204	00	11	55
State : West Bengal						203	00	00	62
(1) Purulia	Canal bet VB	00	02	39		198	00	00	62
	& suy no. 21					199	00	05	50
	21	00	00	17		201	00	12	56

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Naya Basan Urf	200	00	07	87	Naya Basan Urf	2451	00	00	40
Dhaipukhuria	292	00	02	08	Dhaipukhuria	977	00	08	78
(Contd.)	331	00	00	51	(Contd.)	978	00	22	88
	330	00	08	77		2466	00	12	49
	329	00	06	78		2467	00	00	37
	325	00	00	17		2465	00	05	08
	328	00	07	21		2464	00	08	70
	326	00	21	93		981	00	02	00
	320	00	17	67		985	00	01	45
	2245	00	04	31		987	00	12	29
	317	00	02	72		988	00	12	17
	344	00	05	05		989	00	02	65
	1138	00	02	47		996	00	04	99
	1137	00	00	96		997	00	05	57
	1143	00	08	47		998	00	11	96
	1142	00	08	27		1000	00	09	58
	2510	00	12	19		1007	00	10	60
	2508	00	01	36		1009	00	00	37
	2509	00	12	85		833	00	04	52
	2502	00	02	20		1010	00	04	19
	1355	00	41	33		1011	00	00	16
	1348	00	01	29		832	00	01	30
	2492	00	05	69		831	00	08	93
	1354	00	18	53		830	00	02	90
	2486	00	17	91		829	00	02	91
	2487	00	11	82		825	00	02	38
	1361	00	23	10		2239	00	08	17
	1311	00	01	61	(3) Jiagodi	323	00	01	90
	1362	00	01	57		322	00	08	15
	1363	00	01	06		314	00	02	59
	1364	00	00	91		310	00	55	61
	1365	00	00	10		217	00	01	99
	1366	00	16	45		216	00	02	26
	1367	00	02	84		215	00	01	42
	1368	00	01	78		483	00	14	93
	2546	00	11	01		491	00	00	89
	960	00	06	07		492	00	08	95
	2376	00	04	08		493	00	06	16
	961	00	07	68		494	00	06	08
	962	00	00	55		212	00	12	81
	963	00	00	11		495	00	09	19
	964	00	00	10		496	00	05	60
	871	00	01	15		497	00	00	31
	949	00	01	36		237	00	02	10
	2454	00	00	98		511	00	02	33
	2453	00	14	67		512	00	08	29
	2452	00	02	15					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) Jiagodi (Contd.)	516	00	04	66	(4) Raghunath Chak (Contd.)	397	00	00	47
	213	00	06	05		392	00	00	60
	515	00	08	72		391	00	09	32
	465	00	06	80		625	00	10	33
	466	00	07	30		389	00	01	10
	467	00	08	27		386	00	05	89
	172	00	00	11		385	00	02	54
	463	00	06	49		384	00	10	33
	462	00	08	75		566	00	05	10
	461	00	08	83		380	00	02	89
	460	00	06	83		565	00	08	24
	459	00	02	55		564	00	02	98
	458	00	02	50		379	00	05	81
	173	00	00	46		377	00	06	57
	174	00	02	08		370	00	06	06
	171	00	02	08		369	00	04	88
	170	00	01	32		371	00	00	10
	122	00	00	76		366	00	00	44
	168	00	00	55		367	00	01	57
	175	00	00	35		368	00	04	17
	169	00	00	76		559	00	01	65
	Road bet suy	00	01	17		558	00	01	34
	no. 169 & VB					360	00	00	90
(4) Raghunath Chak	In bet VB &	00	01	24		557	00	00	64
	suy no. 537					556	00	00	43
	537	00	00	59		357	00	00	45
	284	00	00	63		563	00	01	23
	543	00	02	42		562	00	01	57
	542	00	12	17		361	00	01	54
	541	00	06	13		561	00	01	71
	546	00	06	25		560	00	01	90
	290	00	06	07		355	00	06	33
	545	00	11	02		354	00	10	71
	291	00	12	41		350	00	06	51
	292	00	02	75		352	00	00	79
	555	00	01	21		351	00	03	94
	296	00	06	51		347	00	00	10
	294	00	02	09		In bet suy no.	00	03	08
	295	00	06	98		347 & 479			
	302	00	07	19		479	00	07	62
	293	00	02	74	(5) Rani Chak	82	00	07	71
	548	00	00	19		7	00	07	49
	304	00	01	89		4	00	43	59
	303	00	02	23		11	00	04	08
	322	00	06	81		12	00	06	17
	390	00	06	52		13	00	01	95

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) Rani Chak (Contd.)	14	00	08	15	(6) Ektarpur (Contd.)	488	00	01	28
	17	00	00	10		914	00	03	15
	19	00	14	15		915	00	01	52
	20	00	00	39		916	00	03	46
(6) Ektarpur	156	00	05	01		917	00	00	10
	157	00	02	17		918	00	00	80
	160	00	12	66		913	00	05	18
	161	00	17	17		919	00	13	21
	162	00	00	63		902	00	00	10
	181	00	07	17		901	00	01	45
	183	00	01	75		920	00	04	09
	182	00	05	77		898	00	00	18
	180	00	09	77		900	00	07	09
	179	00	00	12		895	00	03	14
	173	00	07	72		2861	00	01	87
	178	00	09	02		845	00	01	14
	201	00	08	18		856	00	00	82
	200	00	14	71		857	00	01	23
	203	00	00	17		865	00	06	30
	199	00	13	14		896	00	00	12
	247	00	01	59		891	00	00	13
	248	00	11	11		866	00	10	98
	249	00	12	83		864	00	02	11
	250	00	03	38		867	00	00	61
	280	00	00	10		882	00	00	22
	229	00	05	67		878	00	04	16
	228	00	03	86		871	00	03	36
	230	00	03	10		877	00	06	19
	232	00	00	67		879	00	00	97
	233	00	00	10		876	00	06	82
	2132	00	05	35		875	00	06	67
	227	00	01	72		873	00	00	10
	226	00	05	53		874	00	02	42
	225	00	10	50		1339	00	17	12
	293	00	01	66		1340	00	07	90
	224	00	01	73		567	00	01	16
	302	00	12	20		569	00	00	10
	303	00	08	84		566	00	01	35
	304	00	10	16		565	00	03	60
	2106	00	00	97		560	00	14	39
	219	00	01	31		559	00	00	51
	316	00	10	86		558	00	03	84
	317	00	14	01		562	00	00	10
	318	00	03	36		561	00	02	67
	315	00	00	10		563	00	00	27
	319	00	12	66		573	00	10	03

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(6) Ektarpur (Contd.)	551	00	03	08	(7) Madha Khali	1133	00	02	84
	550	00	01	95	(Contd.)	1132	00	00	05
	553	00	00	56		1134	00	00	76
	552	00	05	10		1144	00	00	10
	548	00	05	28		1135	00	12	81
	547	00	02	21		1137	00	00	33
	546	00	01	41		1136	00	03	57
	545	00	08	32		1085	00	00	38
	544	00	01	61		1138	00	00	32
	1367	00	01	42		1139	00	20	17
	1426	00	01	88		1082	00	02	53
	1427	00	12	50		1313	00	23	06
	1428	00	03	29		1312	00	02	57
	1422	00	00	10		1306	00	04	89
	1429	00	01	53		2754	01	05	92
	1450	00	13	17		1324	00	12	24
	1449	00	00	10		1304	00	06	56
	1451	00	00	91		1325	00	02	41
	1452	00	00	10		1326	00	05	13
	1448	00	08	15		1328	00	00	38
	1447	00	09	01		1329	00	02	15
	1473	00	03	47		1332	00	04	51
	1446	00	02	41		1345	00	02	17
	1445	00	01	19		1330	00	04	99
	1444	00	00	54		1331	00	03	54
	1436	00	01	08		1346	00	03	83
	1440	00	05	03		1344	00	07	85
	1441	00	03	14		2800	00	03	17
	1438	00	00	83		1347	00	05	87
	1439	00	01	62		1348	00	00	44
(7) Madha Khali	246	00	05	72		1349	00	00	10
	1152	00	02	39		2801	00	09	05
	1117	00	01	81		1350	00	11	39
	2737	00	00	10		1431	00	00	23
	1121	00	04	55		2768	00	06	16
	1120	00	02	38		1372	00	00	10
	1122	00	02	27		2767	00	04	93
	1125	00	00	31		1373	00	04	70
	1124	00	03	81		2766	00	02	65
	1126	00	00	93		1374	00	11	32
	1127	00	01	05		1394	00	06	14
	1128	00	03	20		1395	00	01	10
	1130	00	09	99		1396	00	04	04
	1129	00	00	92		1397	00	00	10
	1107	00	00	10		1393	00	04	82
	1104	00	13	85		1400	00	00	84

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(7) Madha Khali (Contd.)	1401	00	03	81	(8) Bamunia (Contd.)	160	00	13	19
	1392	00	01	63		89	00	05	17
	1411	00	01	70		88	00	18	95
	2459	00	00	54		87	00	00	10
	2458	00	09	28		84	00	07	23
	2457	00	09	08		85	00	04	78
	2463	00	11	83		82	00	02	07
	2466	00	00	10		86	00	00	18
	2465	00	03	48		In bet suy no.	00	06	24
	2464	00	05	79		86 & 81			
	2467	00	04	60		81	00	01	12
	2455	00	08	69		80	00	02	01
	2468	00	00	35		79	00	03	63
	2454	00	04	15		53	00	20	79
	2452	00	02	53		In bet suy no.	00	02	29
	2474	00	01	89		53 & 66			
(8) Bamunia	299	00	01	45		66	00	12	85
	298	00	04	71		67	00	10	37
	293	00	06	34		65	00	02	15
	295	00	05	06		218	00	11	52
	297	00	00	91		62	00	13	15
	294	00	06	32		63	00	01	80
	296	00	21	81		61	00	10	93
	332	00	08	15		60	00	01	88
	340	00	07	95	(9) Garania	263	00	01	60
	339	00	10	71		292	00	10	27
	341	00	06	19		294	00	00	10
	338	00	03	50		293	00	01	21
	337	00	26	38		628	00	00	10
	336	00	00	10		138	00	02	47
	355	00	02	85		627	00	01	14
	In bet suy no.	00	00	94		296	00	11	71
	355 & 357					297	00	02	91
	357	00	00	65		629	00	01	88
	354	00	02	91		580	00	03	92
	353	00	02	37		579	00	01	22
	352	00	00	48		583	00	00	44
	270	00	29	94		578	00	29	92
	266	00	01	95		581	00	00	87
	263	00	09	05		582	00	02	06
	269	00	16	91		538	00	14	13
	157	00	00	25		536	00	00	60
	262	00	02	84		537	00	05	89
	158	00	16	82		539	00	03	97
	159	00	20	44		541	00	09	65
	107	00	02	14		542	00	03	41

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(9) Garania (Contd.)	533	00	12	40	(3) Satshatamal	1210	00	02	17
	532	00	05	89	(Contd.)	1211	00	01	50
	527	00	00	21		1207	00	21	65
	526	00	21	07		1206	00	02	21
	524	00	13	15		1224	00	06	70
	523	00	12	26		157	00	05	23
	517	00	11	71		1226	00	00	49
	516	00	04	32		156	00	29	79
	514	00	04	89		124	00	01	36
	513	00	00	78		125	00	04	86
	515	00	05	65		115	00	27	60
	500	00	04	90		123	00	23	78
	598	00	01	29		98	00	08	65
	499	00	04	23		116	00	20	36
	496	00	09	27		121	00	01	13
	597	00	23	60		120	00	09	63
	447	00	17	63		117	00	00	10
	448	00	13	32		119	00	48	49
	645	00	07	11		79	00	05	24
	449	00	02	34		78	00	15	51
	50	00	01	39		77	00	05	42
	1	00	08	58		76	00	07	68
(10) Brindabanpur	1107	00	00	10		75	00	01	06
	1106	00	18	41		In pet Suy no.	00	02	71
	1235	00	00	48		75 & 352			
	1236	00	05	41		352	00	11	38
	1109	00	05	95		356	00	00	10
	1234	00	11	26		353	00	08	16
	1110	00	02	53		354	00	08	29
	1111	00	07	10		355	00	08	53
	1112	00	12	63		357	00	00	29
	1113	00	15	65		358	00	00	62
	874	00	01	44		359	00	01	62
Mandal/Tehsil/Taluk : Potashpur-II		Dist. : Medinipur				351	00	02	85
		State : West Bengal				1356	00	04	44
(1) Paninala	84	00	04	49	(4) Sandalpur	1357	00	10	85
	82	00	08	57		1355	00	00	34
	83	00	47	29		1358	00	05	53
(2) Ismailpur	185	00	02	11		1360	00	07	20
	174	00	01	27		1359	00	05	66
	175	00	01	35		1361	00	00	72
	176	00	01	84		1344	00	02	76
(3) Satshatamal	207	00	07	60		1245	00	01	83
	206	00	02	81		1246	00	02	91
	205	00	02	82		1390	00	01	60
	1212	00	06	41					
	1208	00	08	43					
	1209	00	15	31					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(4) Sandalpur (Contd.)	1244	00	01	38	(4) Sandalpur (Contd.)	1848	00	02	66
	1249	00	02	92		1849	00	06	84
	1248	00	03	80		1847	00	06	64
	1250	00	01	80		1866	00	02	98
	1240	00	00	91		2248	00	03	48
	1242	00	00	10		1845	00	04	96
	1251	00	03	41		1868	00	15	94
	1252	00	08	09		1870	00	02	99
	1255	00	01	39		1838	00	29	31
	1253	00	11	83		1837	00	02	32
	1135	00	05	69		1828	00	07	60
	1132	00	01	87		2328	00	02	08
	1134	00	06	69		1826	00	01	53
	1133	00	00	13		1829	00	04	97
	1148	00	11	51		1830	00	08	24
	1147	00	09	17		1815	00	25	77
	1146	00	00	16		1814	00	06	58
	1149	00	01	21		1501	00	02	71
	1150	00	15	53		1500	00	15	84
	1153	00	02	30		1496	00	21	02
	1152	00	10	15		1497	00	02	55
	1151	00	00	10		1490	00	00	02
	1099	00	01	37		1495	00	06	95
	1156	00	04	71		1494	00	19	77
	1157	00	12	22		1450	00	00	05
	1163	00	12	58		1493	00	08	99
	1161	00	00	93		1451	00	03	52
	2162	00	03	48		1453	00	12	09
	1164	00	01	07		1452	00	01	04
	1165	00	07	27		1433	00	13	32
	1166	00	11	31		1432	00	19	66
	1167	00	04	28		In bet suy no.	00	00	66
	1172	00	00	68		1432 & VB			
	1169	00	04	59	(5) Babuidanri	1497	00	01	14
	1388	00	05	22		1498	00	01	98
	1170	00	06	42		1499	00	01	79
	1171	00	01	89		1500	00	19	58
	1082	00	01	48		1501	00	00	90
	759	00	03	33		1542	00	13	94
	757	00	04	04		1540	00	04	01
	756	00	11	39		1688	00	07	46
	755	00	10	19		1544	00	02	88
	2272	00	00	10		1539	00	00	44
	2265	00	01	66		1538	00	13	35
	753	00	14	52		1545	00	17	76
	754	00	02	70		1536	00	00	96
	744	00	16	80					
	1852	00	07	54					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) Babuidanri (Contd.)	1547	00	08	89	(5) Babuidanri (Contd.)	1090	00	15	62
	1546	00	07	58		1091	00	00	96
	1553	00	01	67		1089	00	13	95
	1554	00	04	62		1086	00	14	89
	1555	00	01	55		309	00	01	81
	1562	00	14	07		308	00	12	73
	1244	00	04	96		1087	00	01	48
	1243	00	07	48	(6) Sianni	28	00	02	08
	1215	00	04	38		280	00	16	43
	1253	00	01	60		276	00	00	65
	1250	00	16	26		277	00	06	42
	1251	00	02	03		279	00	08	70
	1248	00	00	94		273	00	02	54
	1249	00	18	00		278	00	12	95
	1237	00	05	49		266	00	02	30
	1236	00	09	54		270	00	03	44
	1238	00	05	86		271	00	08	94
	1185	00	06	37		272	00	08	49
	1239	00	00	20		30	00	01	49
	1184	00	13	96		35	00	00	10
	1183	00	00	89		36	00	08	22
	1130	00	08	48		37	00	09	63
	1131	00	00	10		247	00	01	07
	1129	00	07	21		38	00	00	54
	1128	00	04	48		88	00	01	29
	1009	00	00	60		89	00	00	10
	1127	00	02	26		87	00	10	34
	1133	00	00	18		86	00	00	53
	1134	00	00	30		92	00	11	40
	1012	00	11	41		93	00	07	25
	1126	00	00	81		94	00	07	42
	1125	00	00	10		97	00	11	83
	1014	00	02	79		96	00	09	16
	1015	00	00	10		73	00	00	10
	1021	00	09	88		106	00	12	67
	1022	00	03	92		105	00	09	91
	1120	00	03	38		107	00	01	86
	1047	00	00	10		112	00	03	88
	1104	00	29	11		113	00	00	10
	1103	00	07	83		111	00	07	58
	1100	00	07	74		127	00	06	15
	1106	00	00	17		125	00	01	98
	1099	00	10	29					
	1080	00	01	04					
	1097	00	04	49					
	1098	00	11	33					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(6) Sianri (Contd.)	126	00	04	06	(1) Shakrullapur	881	00	08	90
	128	00	01	36	(contd.)	1532	00	00	70
	124	00	08	85		880	00	06	97
	121	00	04	13		883	00	00	54
	123	00	01	97		879	00	15	64
	122	00	17	27		872	00	00	36
	133	00	01	46		873	00	05	21
	134	00	03	71		874	00	05	33
	148	00	00	61		875	00	03	33
	147	00	09	96		876	00	01	29
	146	00	03	08		1143	00	48	15
	145	00	04	54		1144	00	11	84
	144	00	00	10		1191	00	10	56
	143	00	11	98		1145	00	02	28
	142	00	01	68		1146	00	18	25
	500	00	02	78		1149	00	09	31
Mandal/Tehsil/Taluk : Bhagawanpur-I Dist. : Medinipur						1150	00	11	31
State : West Bengal						1151	00	02	41
(1) Shakrullapur	1374	00	02	90		1122	00	01	13
	1373	00	02	53		1121	00	12	94
	779	00	00	33		1153	00	00	66
	1506	00	14	05		1119	00	06	54
	783	00	19	06		1383	00	01	47
	1502	00	03	04		1120	00	07	56
	1505	00	09	12		1110	00	04	43
	784	00	03	47		In bet suy	00	01	05
	782	00	01	09		no. 1110 & VB			
	785	00	02	18	Mandal/Tehsil/Taluk : Satahata-II Dist. : Medinipur				
	835	00	04	62	State : West Bengal				
	834	00	02	01	(1) Banbishnupur	1	00	04	13
	830	00	00	10		276	00	01	71
	836	00	02	76		3	00	02	07
	837	00	22	77		17	00	03	85
	1525	00	01	00		56	00	01	91
	838	00	12	78		57	00	00	62
	839	00	03	71	(2) Balughata	174	00	02	56
	840	00	03	59		18	00	04	43
	843	00	11	52		175	00	02	24
	842	00	15	35		199	00	05	82
	841	00	00	10		200	00	13	94
	882	00	02	60		210	00	01	92
						201	00	01	31
					[F.No. L-14014/10/2011-GP]				
					K. K. SHARMA, Under Secy.				

नई दिल्ली, 1 मार्च, 2011

का.आ. 682.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलाएन्स इंडस्ट्रीज लिमिटेड की आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्रकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-बासुदेवपुर-हावड़ा पाइपलाइन बिछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री बारिद बरन गुहा, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, 7, वूड स्ट्रीट तिसरी मंजिल, कोलकाता-700016, पश्चिम बंगाल राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/तहसील/तालुक : भगवानपुर-II जिला : मेदिनीपुर
राज्य : पश्चिम बंगाल

गांव का नाम सर्वे सं/सब डिविजन सं. आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल हेक्टेयर एयर सि एयर

(1)	(2)	(3)	(4)	(5)
1. पश्चिम चक्	616	00	14	17
	615	00	00	49
	612	00	01	56
	514	00	08	68
	538	00	00	39
	535	00	30	36
	537	00	00	10
	533	00	11	11
	532	00	13	79
	529	00	13	55
	275	00	04	08

(1)	(2)	(3)	(4)	(5)
1. पश्चिम चक् (निरंतर)	278	00	02	60
	279	00	02	89
	280	00	08	38
	528	00	12	46
	447	00	08	59
	446	00	14	90
	445	00	08	27
	448	00	08	94
	469	00	07	82
	449	00	20	21
	450	00	00	24
	467	00	07	69
	466	00	08	00
	451	00	17	04
	454	00	06	15
	455	00	08	04
	465	00	08	85
	458	00	04	65
	457	00	09	79
	182	00	01	47
2. पोर चिंगरा	गांव सीमा और सर्वे सं. 344 के बीच में	00	08	17
	344	00	10	55
	343	00	05	44
	345	00	00	72
	2813	00	02	78
	347	00	08	53
	353	00	22	66
	341	00	00	76
	2609	00	08	08
	354	00	07	67
	332	00	00	17
	355	00	09	91
	356	00	07	02
	359	00	07	12
	360	00	07	34
	361	00	07	57
	362	00	07	10
	363	00	15	31
	364	00	05	74
	366	00	05	21

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
2. पोर चिंगरा (निरंतर)	367	00	05	34	2. पोर चिंगरा (निरंतर)	731	00	09	54
	369	00	06	78		789	00	01	82
	376	00	04	90		790	00	00	26
	378	00	00	37		730	00	08	37
	381	00	13	55		729	00	04	14
	382	00	16	13		732	00	03	89
	383	00	00	35		728	00	01	48
	400	00	03	70		726	00	09	51
	394	00	09	55		725	00	10	41
	399	00	00	53		724	00	00	28
	393	00	07	71		719	00	01	21
	392	00	03	00		718	00	02	62
	391	00	01	68		734	00	04	05
	390	00	08	99		717	00	03	42
	388	00	00	33		716	00	00	18
	389	00	04	27		715	00	10	12
	419	00	00	57		714	00	02	20
	859	00	12	69		713	00	05	44
	858	00	03	35		2803	00	03	65
	855	00	13	41		712	00	00	18
	856	00	00	99		2670	00	11	58
	857	00	15	70		1184	00	00	16
	840	00	11	45		1185	00	13	32
	843	00	00	64		1186	00	05	33
	2323	00	00	10		1196	00	01	39
	841	00	15	05		1187	00	11	49
	835	00	02	30		1192	00	11	13
	834	00	09	89		1188	00	00	10
	833	00	04	59		1195	00	05	74
	832	00	03	16		1197	00	00	49
	831	00	01	96		1194	00	09	10
	829	00	13	80		1193	00	00	26
	826	00	00	10		1202	00	00	65
	827	00	03	24		1203	00	12	39
	828	00	07	63		1205	00	11	57
	786	00	04	59		2707	00	00	78
	791	00	00	10		1206	00	16	41
	सर्व सं. 791 और	00	00	10		2761	00	27	91
	788 के बीच में					2760	00	02	95
	788	00	03	97		1759	00	01	38
	787	00	03	06					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
2. पोर चिंगरा (निरंतर)	1316	00	03	44	2. पोर चिंगरा (निरंतर)	1525	00	00	90
	1317	00	04	02		1526	00	01	24
	1304	00	01	56		1527	00	00	91
	1757	00	01	32		1528	00	00	56
	1320	00	05	93		1522	00	05	56
	1318	00	13	96		1519	00	04	01
	1319	00	10	58		1518	00	03	54
	1313	00	00	33		1517	00	02	53
	2787	99	13	74		1516	00	01	66
	1333	00	00	23		1508	00	01	66
	1332	00	04	05		1510	00	00	10
	2786	00	00	52		1449	00	06	87
	1331	00	18	77		2727	00	04	45
	1337	00	10	73		2728	00	00	13
	1340	00	01	40		1450	00	07	02
	2712	00	02	19		1446	00	12	23
	1342	00	02	65		1447	00	00	25
	1341	00	07	51		1451	00	03	09
	1364	00	12	75		1455	00	01	50
	1363	00	21	46		1438	00	08	82
	1360	00	00	68		1437	00	00	56
	1359	00	02	23		1436	00	02	65
	1358	00	03	90		1435	00	00	81
	1374	00	00	39		1434	00	04	22
	1378	00	18	71		1431	00	10	04
	1379	00	07	18		1469	00	05	53
	1380	00	10	98		2470	00	01	38
	1381	00	04	79	मंडल/तहसील/तालुक : सुताहाटा-II जिला : मेदिनीपुर				
	1382	00	14	47	राज्य : पश्चिम बंगाल				
	1383	00	02	66	1. बंरा खन्ना जलपाइ	965	00	15	29
	1531	00	11	97		966	00	05	17
	2723	00	03	11		967	00	00	10
	2722	00	02	24		1931	00	14	49
	1532	00	05	05		970	00	00	49
	1401	00	00	53		1932	00	03	14
	1530	00	12	14		971	00	11	05
	1404	00	01	25		972	00	06	50
	1524	00	01	05		973	00	11	91
	1523	00	01	82		974	00	07	41

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1. बंश खन्ना जलपाइ (निरंतर)	975	00	01	07	1. बंश खन्ना जलपाइ (जारी)	सर्वे सं 1272 और 1274 के बीच में	00	00	90
	1005	00	01	49		1274	00	24	34
	1006	00	04	06		1275	00	02	68
	1007	00	01	47		सर्वे सं. 1275 और गाँव सीमा के बीच में	00	00	38
	731	00	00	25					
	730	00	05	33	2. चकदिपा	134	00	03	09
	729	00	06	94		135	00	09	65
	728	00	09	53		136	00	11	27
	727	00	03	59		137	00	02	94
	726	00	16	99		138	00	00	33
	2082	00	06	93		139	00	02	46
	1032	00	18	06		141	00	04	05
	1031	00	11	28		140	00	05	99
	2091	00	06	43		144	00	14	79
	2090	00	01	25		149	00	01	75
	1029	00	07	18		147	00	01	73
	1033	00	00	09		148	00	00	57
	1039	00	32	46		150	00	02	49
	1158	00	00	10		152	00	00	16
	1157	00	17	36		153	00	03	59
	1156	00	45	71		154	00	02	87
	1145	00	16	71		160	00	00	83
	1983	00	00	77		159	00	02	67
	1144	00	03	51		155	00	05	68
	1170	00	16	69		158	00	04	97
	1171	00	02	44		161	00	01	48
	1169	00	00	53		180	00	08	78
	1172	00	22	48		183	00	01	96
	1123	00	16	36		181	00	01	04
	1174	00	05	50		178	00	00	23
	1176	00	09	11		177	00	00	58
	1175	00	04	10		182	00	13	61
	1209	00	10	23		188	00	00	78
	1214	00	09	70		189	00	06	86
	1215	00	17	20		190	00	03	42
	1906	00	02	38		215	00	04	58
	1228	00	12	66		214	00	02	32
	1216	00	02	24		216	00	01	59
	1217	00	04	85		217	00	10	06
	1272	00	04	04					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
2. चकदिपा	218	00	10	56	2. चकदिपा (निरंतर)	711	00	07	23
	233	00	00	58		665	00	00	10
	219	00	00	10		712	00	08	00
	522	00	07	42		713	00	01	77
	232	00	01	22		714	00	00	96
	231	00	06	98		715	00	06	74
	221	00	00	10		661	00	00	19
	223	00	05	36		660	00	05	32
	224	00	06	11		716	00	21	91
	225	00	08	16		855	00	01	32
	227	00	14	80		870	00	04	01
	495	00	02	29		869	00	03	84
	496	00	00	54		838	00	01	57
	518	00	01	20		867	00	06	18
	497	00	14	46		861	00	01	84
	494	00	00	35		3792	00	00	55
	498	00	01	88		866	00	01	37
	470	00	01	14		862	00	17	17
	503	00	00	11		863	00	08	49
	514	00	00	48		791	00	03	12
	513	00	03	89		844	00	02	62
	512	00	01	81		830	00	01	37
	505	00	04	31		831	00	01	55
	504	00	05	21		843	00	00	72
	482	00	11	61		832	00	06	62
	508	00	00	21		833	00	00	10
	509	00	05	16		3750	00	03	37
	479	00	04	08		834	00	16	81
	3776	00	23	46		821	00	11	90
	574	00	05	64		822	00	01	52
	684	00	01	43		820	00	13	42
	673	00	02	59		3842	00	01	25
	672	00	10	56		सर्वे सं 3842	00	01	83
	670	00	07	65		और 3869			
	691	00	00	73		के बीच में			
	669	00	05	57		3869	00	08	01
	668	00	04	45		3868	00	06	22
	667	00	01	60		3840	00	05	52
	666	00	01	84		3841	00	00	74
	703	00	00	58		3873	00	16	57

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) चकदिपा (निरंतर)	1760	00	01	11	(3) ब्रजबी नंदा चक्	147	00	02	86
	3877	00	09	81	(निरंतर)	106	00	14	84
	3878	00	05	65		109	00	01	51
सर्वे सं 3878		00	01	49		179	00	07	77
और 1799						108	00	11	08
के बीच में						187	00	02	02
1799	00	01	12			194	00	04	94
1764	00	01	00			136	00	06	33
1770	00	19	61			137	00	00	55
1787	00	14	55			183	00	14	26
1786	00	04	63			184	00	00	98
1789	00	21	07			133	00	11	37
1782	00	00	10			132	00	28	59
1790	00	05	17		मंडल/तहसील/तालुक : नंदीग्राम-II		जिला : मेदिनीपुर		
1792	00	07	24				राज्य : पश्चिम बंगाल		
3374	00	00	33		(1) हनु भुँया	439	00	07	55
1868	00	01	35			436	00	01	76
1791	00	11	03			435	00	02	97
3375	00	09	30			433	00	09	03
3376	00	09	22			434	00	00	74
3380	00	01	22			430	00	00	53
3381	00	01	87			429	00	10	42
3382	00	01	42			428	00	00	80
3383	00	04	11			431	00	06	46
3385	00	18	63			427	00	04	86
(3) ब्रजबी नंदा चक्	170	00	06	91		99	00	06	36
	213	00	05	61		100	00	10	31
	212	00	04	62		101	00	07	15
	94	00	00	55		102	00	00	10
	95	00	15	58		97	00	00	26
	96	00	02	95		96	00	02	20
	93	00	03	19		105	00	00	59
	92	00	02	17		106	00	00	43
	102	00	10	69		108	00	00	18
	188	00	05	21		107	00	15	59
	101	00	08	03		95	00	01	08
	99	00	00	10		152	00	04	80
	100	00	05	99		153	00	10	14
	103	00	00	12		151	00	02	89
	104	00	15	47		150	00	03	36
	105	00	08	71					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(1) हनु भुँया (निरंतर)	154	00	14	10	(1) हनु भुँया (निरंतर)	1988	00	01	65
	139	00	11	61		1989	00	01	79
	138	00	06	39		1990	00	07	21
	137	00	06	20		2017	00	01	40
	136	00	04	77		2196	00	00	80
	158	00	08	57		2195	00	17	32
	159	00	14	41		2194	00	12	31
	161	00	06	17		2186	00	04	09
	160	00	06	70		2187	00	08	46
	207	00	27	40		2185	00	00	43
	217	00	04	17		2188	00	00	17
	208	00	09	69		2183	00	07	27
	214	00	07	79		2184	00	10	06
	215	00	17	43		2181	00	08	77
	1732	00	06	82		2178	00	09	44
	1733	00	11	14		2177	00	04	62
	1738	00	08	95		2169	00	10	00
	1739	00	19	37		2176	00	06	61
	1740	00	07	87		2171	00	19	78
	1748	00	08	78		2132	00	08	56
	1747	00	12	27		2133	00	04	58
	1756	00	11	64		2134	00	02	28
	1744	00	11	20		2131	00	10	91
	1845	00	19	33		2130	00	11	45
	1844	00	01	99		2129	00	12	36
	1846	00	02	51		2363	00	01	05
	1848	00	01	23		2128	00	08	58
	1847	00	09	89		2366	00	10	36
	1895	00	10	97		2365	00	01	06
	1896	00	17	21		2367	00	11	10
	1899	00	08	08	(2) शिब्रामपुर	816	00	01	96
	1900	00	01	34		817	00	01	30
	1898	00	06	55		737	00	13	05
	1897	00	04	15		736	00	04	82
	1890	00	01	42		738	00	17	89
	1981	00	02	70		726	00	07	62
	1980	00	10	68		727	00	04	73
	1985	00	00	96		725	00	15	67
	1987	00	04	38		724	00	12	36
	1991	00	01	72		718	00	08	94

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) शिब्रामपुर (निरंतर)	933	00	05	01	(2) शिब्रामपुर (निरंतर)	654	00	00	31
	712	00	09	08		655	00	05	28
	934	00	04	39		652	00	13	50
	711	00	08	80		651	00	08	12
	935	00	04	80		650	00	10	75
	937	00	08	57		645	00	17	04
	936	00	04	23		643	00	00	49
	945	00	01	23		644	00	01	77
	944	00	04	69		459	00	00	42
	946	00	04	58		429	00	13	71
	943	00	00	43		432	00	04	51
	952	00	00	60		430	00	06	42
	949	00	09	08		431	00	12	70
	950	00	04	52		428	00	08	38
	951	00	01	37		419	00	11	10
	912	00	01	64		418	00	02	27
	962	00	05	65		411	00	22	00
	961	00	01	48		409	00	01	72
	963	00	05	05		420	00	00	10
	978	00	06	12		424	00	20	14
	977	00	06	13		425	00	00	42
	186	00	08	37	(3) खोदमबरी	747	00	07	49
	976	00	04	80		748	00	10	31
	975	00	06	82		749	00	09	73
	974	00	02	40		756	00	00	10
	187	00	00	21		755	00	16	57
	973	00	21	97		754	00	00	31
	1090	00	00	42		780	00	00	10
	972	00	10	96		781	00	01	84
	971	00	02	65		782	00	07	84
	1093	00	07	58		783	00	08	09
	666	00	04	18		784	00	15	41
	1094	00	12	65		753	00	05	69
	665	00	00	34		806	00	01	34
	1095	00	03	15		808	00	14	07
	663	00	17	96		810	00	05	88
	662	00	06	35		811	00	08	29
	653	00	11	44		4710	00	00	33
	658	00	00	82		861	00	02	80
	657	00	02	02		812	00	01	34

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) खोदमबरी (निरंतर)	860	00	04	19	(3) खोदमबरी (निरंतर)	1147	00	00	11
	859	00	11	91		1148	00	02	43
	885	00	01	51		1149	00	17	83
	858	00	04	85		1154	00	00	35
	886	00	05	45		1150	00	06	48
	887	00	15	84		4141	00	05	58
	889	00	01	14		1151	00	00	91
	888	00	07	51		3075	00	14	21
	890	00	04	08		3073	00	09	54
	908	00	05	94		3074	00	02	25
	909	00	01	87		1707	00	00	46
	910	00	01	62		1706	00	00	10
	907	00	10	24		1708	00	03	26
	899	00	05	21		1699	00	01	54
	900	00	00	08		1710	00	02	80
	906	00	14	47		1712	00	01	64
	938	00	10	80		3044	00	02	13
	939	00	01	29		3043	00	00	15
	940	00	10	30		1713	00	02	00
	937	00	00	78		1714	00	11	31
	941	00	04	57		2715	00	13	41
	942	00	10	93		1220	00	04	57
	943	00	09	39		2719	00	00	20
	1020	00	08	46		1722	00	16	89
	1019	00	10	70		1734	00	15	30
	1016	00	00	10		1735	00	03	84
	1018	00	01	59		1736	00	01	23
	1017	00	13	02		1739	00	05	68
	1009	00	01	82		1738	00	06	60
	1013	00	04	58		1742	00	04	14
	4619	00	04	62		1741	00	09	66
	1010	00	09	26		3017	00	01	20
	1011	00	07	46		1747	00	14	20
	1007	00	00	60		3016	00	03	18
	1137	00	05	81		4654	00	07	35
	1136	00	10	81		3024	00	02	27
	1135	00	00	73		1748	00	00	68
	1139	00	16	64		3013	00	00	85
	1141	00	00	82		3012	00	17	26
	1140	00	08	99		3010	00	03	

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) खोदमबरी (निरंतर)	2378	00	01	36	(3) खोदमबरी (निरंतर)	2321	00	07	96
	3009	00	09	24		2310	00	09	75
	2476	00	02	48		4786	00	02	13
	2474	00	12	20		2311	00	09	01
	2475	00	00	01		2289	00	00	10
	2473	00	04	55		2288	00	01	97
	2465	00	00	75		2287	00	00	65
	2450	00	16	41		2312	00	01	30
	2451	00	01	22		2278	00	10	37
	2453	00	00	72		2277	00	08	71
	2464	00	06	52		2281	00	00	22
	2457	00	08	24		2275	00	00	87
	2455	00	02	72		2276	00	07	35
	2461	00	08	21		2235	00	06	79
	2458	00	05	41		2236	00	02	92
	2460	00	00	88		2237	00	01	27
	2459	00	12	23		2241	00	07	47
	2436	00	00	24		2232	00	04	57
	2440	00	11	63		2231	00	02	21
	2441	00	00	10		2230	00	04	24
	2439	00	15	56		2229	00	04	79
	2537	00	00	10		2228	00	10	09
	2418	00	10	68		2227	00	01	37
	2417	00	09	74		2226	00	00	94
	2552	00	00	51		2225	00	00	66
	2416	00	01	40		2224	00	00	50
	2553	00	08	86		2223	00	00	60
	2414	00	14	59		2218	00	02	14
	2412	00	05	73	(4) ठाकुर चक्	260	00	01	08
	2580	00	07	23		255	00	00	86
	2411	00	07	06		256	00	07	81
	2575	00	01	97		251	00	00	16
	2581	00	00	71		254	00	02	04
	2373	00	01	79		252	00	04	02
	2328	00	02	49		253	00	10	97
	2327	00	02	62		247	00	09	12
	2307	00	04	64		330	00	02	61
	2323	00	01	64		329	00	00	10
	2322	00	08	14		331	00	10	84
	2309	00	04	23		334	00	05	28

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(4) ठाकुर चक् (निरंतर)	333	00	00	28	(4) ठाकुर चक् (निरंतर)	483	00	04	39
	336	00	09	23		102	00	04	80
	335	00	10	74		100	00	06	66
	339	00	12	58		101	00	11	44
	345	00	06	57		484	00	04	37
	344	00	01	32		97	00	00	12
	346	00	06	22		95	00	10	68
	208	00	04	89		94	00	00	36
	359	00	06	04		340	00	00	68
	209	00	12	26		332	00	01	42
	210	00	08	97		394	00	01	40
	204	00	07	67		258	00	16	62
	211	00	00	94		259	00	02	59
	213	00	00	65		246	00	01	21
	202	00	06	50	(5) जयनपुर	1057	00	06	57
	124	00	00	23		1056	00	06	91
	55	00	14	75		1039	00	02	53
	203	00	13	37		1054	00	12	34
	56	00	08	48		1052	00	13	96
	123	00	00	85		1050	00	01	16
	54	00	06	43		992	00	02	01
	57	00	13	98		990	00	01	88
	132	00	08	22		821	00	02	66
	131	00	10	87		991	00	26	20
	122	00	10	14		819	00	00	53
	141	00	00	26		823	00	02	38
	117	00	02	58		822	00	16	81
	118	00	11	96		817	00	06	05
	115	00	01	13		825	00	01	84
	116	00	09	04		824	00	09	10
	120	00	01	01		816	00	00	84
	119	00	01	70		829	00	00	25
	51	00	01	06		830	00	15	98
	111	00	08	85		834	00	00	10
	110	00	09	23		832	00	21	63
	107	00	00	76		831	00	07	98
	74	00	10	56		735	00	00	53
	109	00	07	24		833	00	16	37
	108	00	10	04		732	00	08	84
	81	00	15	21		731	00	15	28

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(5) जयनपुर (निरंतर)	730	00	06	42	(6) पथुरिया	441	00	01	67
	679	00	08	67		331	00	08	86
	680	00	10	24		330	00	05	31
	1065	00	01	87		329	00	07	94
	725	00	08	22		333	00	00	88
	724	00	08	66		332	00	16	21
	678	00	05	57		926	00	00	73
	656	00	01	29		336	00	11	80
	671	00	08	86		334	00	09	04
	699	00	17	95		338	00	04	08
	697	00	00	64		357	00	00	10
	695	00	09	30		349	00	07	82
	694	00	02	21		348	00	11	67
	702	00	00	10		337	00	00	27
	708	00	01	44		352	00	07	09
	691	00	15	80		355	00	08	13
	692	00	00	39		354	00	09	28
	690	00	01	24		306	00	00	81
	1015	00	00	23		353	00	09	13
	473	00	05	08		351	00	00	69
	475	00	02	52		350	00	08	85
	476	00	00	33		308	00	06	51
	471	00	00	28		सर्वे सं. 308	00	02	23
	470	00	08	55		और 309			
	469	00	02	43		के बीच में रास्ता			
	468	00	07	35		309	00	01	33
	467	00	04	96		269	00	04	23
	465	00	04	26		307	00	22	45
	466	00	07	04		937	00	09	25
	463	00	01	34		267	00	04	39
	464	00	09	92		268	00	04	90
	461	00	00	39		266	00	08	83
	474	00	08	24		312	00	00	14
	705	00	08	72		264	00	07	60
	1038	00	00	33		262	00	00	28
	1041	00	01	24		275	00	02	07
	704	00	00	73		280	00	00	10
	1093	00	00	10		265	00	08	87
	472	00	01	16		921	00	02	52
						274	00	19	83
						920	00	01	66

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(6) पथुरिया (निरंतर)	328	00	08	51	(7) बयल (निरंतर)	1610	00	01	71
	442	00	06	09		1716	00	04	50
	443	00	06	77		1707	00	00	18
	444	00	02	97		1704	00	01	14
	445	00	01	76		2475	00	02	87
	446	00	00	53		2474	00	03	84
(7) बयल	2034	00	03	87		1706	00	01	70
	2033	00	16	27		1717	00	11	67
	2040	0	02	34		1708	00	04	18
	2036	00	04	22		1712	00	04	79
	2035	00	07	18		1661	00	13	43
	2232	00	01	39		1718	00	02	26
	2032	00	08	83		1701	00	07	70
	2028	00	07	31		1553	00	18	09
	2052	00	06	35		1702	00	04	10
	2009	00	00	31		1570	00	08	95
	2050	00	00	10		1569	00	06	50
	2056	00	24	24		1713	00	15	21
	2054	00	00	24		1735	00	00	10
	2037	00	01	46		1564	00	01	49
	2086	00	00	10		1711	00	06	48
	2060	00	02	97		1705	00	09	10
	2062	00	00	13		1802	00	02	00
	2057	00	25	68		1658	00	04	85
	2025	00	06	37		1552	00	04	23
	58	00	01	39		1608	00	10	24
	2059	00	12	98		1710	00	00	10
	2076	00	00	19		1613	00	03	81
	2064	00	02	51		2660	00	16	01
	2063	00	07	86		1736	00	11	78
	1725	00	00	35		1709	00	19	68
	2066	00	02	13		1801	00	01	47
	2065	00	13	60		1612	00	10	04
	2240	00	04	08		1573	00	09	08
	1563	00	00	30		1656	00	13	77
	2166	00	00	10		2480	00	22	14
	1554	00	02	25		2246	00	02	77
	1715	00	00	10		1687	00	01	35
	1609	00	01	37					
	1611	00	01	55					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(1) भिमकट (निरंतर)	21	00	02	00	(2) मनु चक् (निरंतर)	96	00	15	52
	31	00	12	37		114	00	05	52
	32	00	05	83		115	00	08	32
	101	00	09	64		116	00	01	95
	116	00	10	96		118	00	09	74
	115	00	05	50		112	00	11	04
	114	00	13	86		117	00	00	37
	135	00	06	48		119	00	09	56
	136	00	06	83		122	00	07	23
	137	00	04	92		337	00	01	87
	138	00	12	49		338	00	01	71
	133	00	00	10		339	00	02	28
	229	00	22	53		547	00	00	12
	230	00	00	54		548	00	16	83
	231	00	12	29		549	00	05	59
	232	00	13	18		534	00	16	28
	284	00	09	96		538	00	00	37
	233	00	00	57		536	00	11	70
	266	00	00	53		525	00	10	27
	267	00	00	73		526	00	18	19
	283	00	09	03		527	00	00	45
	282	00	08	63		518	00	24	80
	268	00	01	52		522	00	00	33
	270	00	00	11		521	00	00	77
	280	00	15	85		519	00	09	82
	279	00	04	75		520	00	00	64
	273	00	00	19		511	00	22	41
	277	00	07	26		636	00	14	00
	274	00	02	59		637	00	14	61
	275	00	04	97		638	00	12	80
	276	00	04	61		632	00	02	60
	सर्वे सं. 276	00	01	51		631	00	08	57
	और गाँव सीमा					628	00	47	75
	के बीच में					627	00	05	78
(2) मनु चक्	241	00	01	20		623	00	07	51
	140	00	18	14		624	00	20	27
	109	00	13	82		706	00	02	77
	138	00	03	90		707	00	06	85
	134	00	35	00	(2) मनु चक् जलपाइ	119	00	02	14
	133	00	09	39		781	00	05	01
	95	00	00	10		782	00	08	43

(1)	(2)	(3)	(4)	(5)
(3) मनु चक् जलपाइ (निरंतर)	792	00	08	15
	793	00	08	25
	791	00	00	12
	783	00	00	64
	784	00	13	61
	778	00	05	23
	203	00	07	44
	120	00	01	91
	777	00	02	58
	691	00	00	24
	754	00	03	90
	692	00	06	24
	688	00	09	03
	687	00	06	33
	121	00	05	64
	122	00	00	10
	109	00	02	06
	90	00	10	72
	89	00	12	48
	88	00	17	29
	91	00	00	10
	87	00	00	46
	86	00	07	43
	92	00	02	67
	57	00	08	69
	58	00	21	77
	60	00	15	57
	61	00	15	45
	80	00	16	57
	64	00	00	24
	67	00	15	61
	68	00	00	10
	718	00	06	16
	717	00	06	16
	730	00	06	64
	729	00	04	91
	735	00	00	11
	1110	00	08	89

[फा. सं. एल-14014/11/2011-जी.पो.]

के. के. शर्मा, अवर सचिव

New Delhi, the 1st March, 2011

S.O. 682.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East Coast of Andhra Pradesh of M/s. Reliance Industries Limited to consumers in various parts of the country. Kakinada - Basudebpur - Howrah pipeline should be laid by M/s Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Barid Baran Guha, Competent Authority, Relogistics Infrastructure Limited, 7, Wood Street, 3rd Floor, Kolkata - 700016, West Bengal State.

SCHEDULE

Mandal/Tehsil/ District : Medinipur State : West Bengal
Taluk : Bhagawanpur-II

Village	Survey No./ Sub-Division	Area to be acquired for ROU		
		Hec	Are	C-Are
(1)	(2)	(3)	(4)	(5)
(1) Paschim Chak	616	00	14	17
	615	00	00	49
	612	00	01	56
	514	00	08	68
	538	00	00	39
	535	00	30	36
	537	00	00	10
	533	00	11	11
	532	00	13	79
	529	00	13	55
	275	00	04	03
	278	00	02	60
	279	00	02	89

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Paschim Chak	280	00	08	38	Pora Chingra	383	00	00	35
(Contd.)	528	00	12	46	(Contd.)	400	00	08	70
	447	00	08	59		394	00	09	55
	446	00	14	90		399	00	00	53
	445	00	08	27		393	00	07	71
	448	00	08	94		392	00	08	00
	469	00	07	82		391	00	01	68
	449	00	20	21		390	00	08	99
	450	00	00	24		388	00	00	33
	467	00	07	69		389	00	04	27
	466	00	08	00		419	00	00	57
	451	00	17	04		859	00	12	69
	454	00	05	15		858	00	08	35
	455	00	08	04		855	00	13	41
	465	00	08	85		856	00	00	99
	458	00	04	65		857	00	15	70
	457	00	09	79		840	00	11	45
	182	00	01	47		843	00	00	64
(2) Pora Chingra	Nala bet VB & suy no. 344	00	08	17		2323	00	00	10
	344	00	10	55		841	00	15	05
	343	00	05	44		835	00	02	30
	345	00	00	72		834	00	09	89
	2813	00	02	78		833	00	04	59
	347	00	08	53		832	00	08	16
	353	00	22	66		831	00	01	96
	341	00	00	76		829	00	13	80
	2609	00	08	08		826	00	00	10
	354	00	07	67		827	00	08	24
	332	00	00	17		828	00	07	63
	355	00	09	91		786	00	04	59
	356	00	07	02		791	00	00	10
	359	00	07	12		In bet suy.	00	00	10
	360	00	07	34		no. 791 & 788			
	361	00	07	57		788	00	08	97
	362	00	07	10		787	00	08	06
	363	00	15	31		731	00	09	54
	364	00	05	74		789	00	01	82
	366	00	05	21		790	00	00	26
	367	00	05	34		730	00	08	37
	369	00	06	78		729	00	04	14
	376	00	04	90		732	00	08	89
	378	00	00	37		728	00	01	48
	381	00	13	55		726	00	09	51
	382	00	16	13					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Pora Chingra	725	00	10	41	Pora Chingra	2786	00	00	52
(Contd.)	724	00	00	28	(Contd.)	1331	00	18	77
	719	00	01	21		1337	00	10	73
	718	00	02	62		1340	00	01	40
	734	00	04	05		2712	00	02	19
	717	00	03	42		1342	00	02	65
	716	00	00	18		1341	00	07	51
	715	00	10	12		1364	00	12	75
	714	00	02	20		1363	00	21	46
	713	00	05	44		1360	00	00	68
	2803	00	03	65		1359	00	02	23
	712	00	00	18		1358	00	00	90
	2670	00	11	58		1374	00	00	39
	1184	00	00	16		1378	00	18	71
	1185	00	13	32		1379	00	07	18
	1186	00	05	33		1380	00	10	98
	1196	00	01	39		1381	00	04	79
	1187	00	11	49		1382	00	14	47
	1192	00	11	13		1383	00	02	66
	1188	00	00	10		1531	00	11	97
	1195	00	05	74		2723	00	03	11
	1197	00	00	49		2722	00	02	24
	1194	00	09	10		1532	00	05	05
	1193	00	00	26		1401	00	00	57
	1202	00	00	65		1530	00	12	14
	1203	00	12	39		1404	00	01	25
	1205	00	11	57		1524	00	01	05
	2707	00	00	78		1523	00	01	82
	1206	00	16	41		1525	00	00	90
	2761	00	27	91		1526	00	01	24
	2760	00	02	95		1527	00	00	91
	1759	00	01	38		1528	00	00	56
	1316	00	03	44		1522	00	05	86
	1317	00	04	02		1519	00	04	01
	1304	00	01	56		1518	00	03	54
	1757	00	01	32		1517	00	02	53
	1320	00	05	93		1516	00	01	66
	1318	00	13	96		1508	00	01	66
	1319	00	10	58		1510	00	00	10
	1313	00	00	33		1449	00	06	87
	2787	99	13	74		2727	00	04	45
	1333	00	00	23		2728	00	00	13
	1332	00	04	05		1450	00	07	02

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) Chak Dipa (Contd.)	155	00	05	68	(2) Chak Dipa (Contd.)	479	00	04	08
	158	00	04	97		3776	00	23	46
	161	00	01	48		574	00	05	64
	180	00	08	78		684	00	01	43
	183	00	01	96		673	00	02	59
	181	00	01	04		672	00	10	56
	178	00	00	23		670	00	07	65
	177	00	00	58		691	00	00	73
	182	00	13	61		669	00	05	57
	188	00	00	78		668	00	04	45
	189	00	06	86		667	00	01	60
	190	00	03	42		666	00	01	84
	215	00	04	58		703	00	00	58
	214	00	02	32		711	00	07	23
	216	00	01	59		665	00	00	10
	217	00	10	06		712	00	08	00
	218	00	10	56		713	00	01	77
	233	00	00	58		714	00	00	96
	219	00	00	10		715	00	06	74
	522	00	07	42		661	00	00	19
	232	00	01	22		660	00	05	32
	231	00	06	98		716	00	21	91
	221	00	00	10		855	00	01	32
	223	00	05	36		870	00	04	01
	224	00	06	11		869	00	03	84
	225	00	03	16		838	00	01	57
	227	00	14	80		867	00	06	18
	495	00	02	29		861	00	01	84
	496	00	00	54		3792	00	00	55
	518	00	01	20		866	00	01	37
	497	00	14	46		862	00	17	17
	494	00	00	35		863	00	03	49
	498	00	01	88		791	00	03	12
	470	00	01	14		844	00	02	62
	503	00	00	11		830	00	01	37
	514	00	00	48		831	00	01	55
	513	00	03	89		843	00	00	72
	512	00	01	81		832	00	06	62
	505	00	04	31		833	00	00	10
	504	00	05	21		3750	00	03	37
	482	00	11	61		834	00	16	81
	508	00	00	21		821	00	11	90
	509	00	05	16		822	00	01	52

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) Chak Dipa (Contd.)	820	00	13	42	(3) Brajabati Nanda Chak (Contd.)	101	00	08	08
	3842	00	01	25		99	00	00	10
	In bet suy. no. 3842 & 3869	00	01	83		100	00	05	99
	3869	00	08	01		103	00	00	12
	3868	00	06	22		104	00	15	47
	3840	00	05	52		105	00	08	71
	3841	00	00	74		147	00	02	86
	3873	00	16	57		106	00	14	84
	1760	00	01	11		109	00	01	51
	3877	00	09	81		179	00	07	77
	3878	00	05	65		108	00	11	08
	In set suy. no. 3878 & 1799	00	01	49		187	00	02	02
	1799	00	01	12		194	00	04	94
	1764	00	01	00		136	00	06	33
	1770	00	19	61		137	00	00	55
	1787	00	14	55		183	00	14	26
	1786	00	04	63		184	00	00	98
	1789	00	21	07		133	00	11	37
	1782	00	00	10		132	00	28	59
	1790	00	05	17	Mandal/Tehsil/Taluk : Nandigram-II	District : Medinipur	State : West Bengal		
	1792	00	07	24	(1) Hanu Bhunya	439	00	07	55
	3374	00	00	33		436	00	01	76
	1868	00	01	35		435	00	02	97
	1791	00	11	03		433	00	09	03
	3375	00	09	30		434	00	00	74
	3376	00	09	22		430	00	00	53
	3380	00	01	22		429	00	10	42
	3381	00	01	87		428	00	00	80
	3382	00	01	42		431	00	06	46
	3383	00	04	11		427	00	04	86
	3385	00	18	63		99	00	06	36
(3) Brajabati Nanda Chak	170	00	06	91		100	00	10	31
	213	00	05	61		101	00	07	15
	212	00	04	62		102	00	00	10
	94	00	00	55		97	00	00	26
	95	00	15	58		96	00	02	20
	96	00	02	95		105	00	00	59
	93	00	03	19		106	00	00	43
	92	00	02	17		108	00	00	18
	102	00	10	69		107	00	15	59
	188	00	05	21		95	00	01	08

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(1) Hamu Bhunya (Contd.)	152	00	04	80	(1) Hanu Bhunya (Contd.)	1991	00	01	72
	153	00	10	14		1988	00	01	65
	151	00	02	89		1989	00	01	79
	150	00	03	36		1990	00	07	21
	154	00	14	10		2017	00	01	40
	139	00	11	61		2196	00	00	80
	138	00	06	39		2195	00	17	32
	137	00	06	20		2194	00	12	31
	136	00	04	77		2186	00	04	09
	158	00	03	57		2187	00	08	46
	159	00	14	41		2185	00	00	43
	161	00	06	17		2188	00	00	17
	160	00	06	70		2183	00	07	27
	207	00	27	40		2184	00	10	06
	217	00	04	17		2181	00	08	77
	208	00	09	69		2178	00	09	44
	214	00	07	79		2177	00	04	62
	215	00	17	43		2169	00	10	00
	1732	00	06	82		2176	00	06	61
	1733	00	11	14		2171	00	19	78
	1738	00	03	95		2132	00	08	56
	1739	00	19	37		2133	00	04	58
	1740	00	07	87		2134	00	02	28
	1748	00	08	78		2131	00	10	91
	1747	00	12	27		2130	00	11	45
	1756	00	11	64		2129	00	12	36
	1744	00	11	20		2363	00	01	05
	1845	00	19	33		2128	00	03	58
	1844	00	01	99	(2) Shibrampur	2366	00	10	36
	1846	00	02	51		2365	00	01	06
	1848	00	01	23		2367	00	11	10
	1847	00	09	89		816	00	01	96
	1895	00	10	97		817	00	01	30
	1896	00	17	21		737	00	13	05
	1899	00	08	03		736	00	04	82
	1900	00	01	34		738	00	17	89
	1898	00	06	55		726	00	07	62
	1897	00	04	15		727	00		73
	1890	00	01	42		725	00	15	67
	1981	00	02	70		724	00	12	36
	1980	00	10	68		718	00	08	94
	1985	00	00	96		933	00	05	01
	1987	00	04	38		712	00	09	08

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(2) Shibrampur (Contd.)	934	00	04	39	(2) Shibrampur (Contd.)	645	00	17	04
	711	00	08	80		643	00	00	49
	935	00	04	80		644	00	01	77
	937	00	08	57		459	00	00	42
	936	00	04	23		429	00	13	71
	945	00	01	23		432	00	04	51
	944	00	04	69		430	00	06	42
	946	00	04	58		431	00	12	70
	943	00	00	43		428	00	03	38
	952	00	00	60		419	00	11	10
	949	00	09	08		418	00	02	27
	950	00	04	52		411	00	22	00
	951	00	01	37		409	00	01	72
	912	00	01	64		420	00	00	10
	962	00	05	65		424	00	20	14
	961	00	01	48		425	00	00	42
	963	00	05	05	(3) Khodambari	747	00	07	49
	978	00	06	42		748	00	10	31
	977	00	06	08		749	00	09	73
	186	00	08	37		756	00	00	10
	976	00	04	80		755	00	16	57
	775	00	06	82		754	00	00	31
	974	00	02	40		780	00	00	10
	187	00	00	21		781	00	01	84
	973	00	21	97		782	00	07	84
	1090	00	00	42		783	00	08	09
	972	00	10	96		784	00	15	41
	971	00	02	65		753	00	05	69
	1093	00	07	58		806	00	01	34
	666	00	04	18		808	00	14	07
	1094	00	12	65		810	00	05	88
	665	00	00	34		811	00	08	29
	1095	00	08	15		4710	00	00	33
	663	00	17	96		861	00	02	80
	662	00	06	35		812	00	01	34
	653	00	11	44		860	00	04	19
	658	00	00	82		859	00	11	91
	657	00	02	02		885	00	01	51
	654	00	00	31		858	00	04	85
	655	00	05	28		886	00	05	45
	652	00	13	50		887	00	15	84
	651	00	03	12		889	00	01	14
	650	00	10	75		888	00	07	51

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) Khodambari (Contd.)	890	00	04	03	(3) Khodambari (Contd.)	1706	00	00	10
	908	00	05	94		1708	00	03	26
	909	00	01	87		1699	00	01	54
	910	00	01	62		1710	00	02	80
	907	00	10	24		1712	00	01	64
	899	00	05	21		3044	00	02	13
	900	00	00	03		3043	00	00	15
	906	00	14	47		1713	00	02	00
	938	00	10	80		1714	00	11	31
	939	00	01	29		2715	00	13	41
	940	00	10	30		1220	00	04	57
	937	00	00	78		2719	00	00	20
	941	00	04	57		1722	00	16	89
	942	00	10	93		1734	00	15	30
	943	00	09	39		1735	00	03	84
	1020	00	08	46		1736	00	01	23
	1019	00	10	70		1739	00	05	68
	1016	00	00	10		1738	00	06	60
	1018	00	01	59		1742	00	04	14
	1017	00	13	02		1741	00	09	66
	1009	00	01	82		3017	00	01	20
	1013	00	04	58		1747	00	14	20
	4619	00	04	62		3016	00	03	18
	1010	00	09	26		4654	00	07	35
	1011	00	07	46		3024	00	02	27
	1007	00	00	60		1748	00	00	68
	1137	00	05	81		3013	00	00	85
	1136	00	10	81		3012	00	17	26
	1135	00	00	73		3010	00	03	26
	1139	00	16	64		2378	00	01	36
	1141	00	00	82		3009	00	09	24
	1140	00	08	99		2476	00	02	48
	1147	00	00	11		2474	00	12	20
	1148	00	02	43		2475	00	00	01
	1149	00	17	83		2473	00	04	55
	1154	00	00	35		2465	00	00	75
	1150	00	06	48		2450	00	16	41
	4141	00	05	58		2451	00	01	22
	1151	00	00	91		2453	00	00	72
	3075	00	14	21		2464	00	06	52
	3073	00	09	54		2457	00	08	24
	3074	00	02	25		2455	00	02	72
	1707	00	00	46		2461	00	03	21

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(3) Khodambari (Contd.)	2458	00	05	41	(3) Khodambari (Contd.)	2232	00	04	57
	2460	00	00	88		2231	00	02	21
	2459	00	12	23		2230	00	04	24
	2436	00	00	24		2229	00	04	79
	2440	00	11	63		2228	00	10	09
	2441	00	00	10		2227	00	01	37
	2439	00	15	56		2226	00	00	94
	2537	00	00	10		2225	00	00	66
	2418	00	10	68		2224	00	00	50
	2417	00	09	74		2223	00	00	60
	2552	00	00	51	(4) Thakur Chak	2218	00	02	14
	2416	00	01	40		260	00	01	08
	2553	00	08	86		255	00	00	86
	2414	00	14	59		256	00	07	81
	2412	00	05	73		251	00	00	16
	2580	00	07	23		254	00	02	04
	2411	00	07	06		252	00	04	02
	2575	00	01	97		253	00	10	97
	2581	00	00	71		247	00	09	12
	2373	00	01	79		330	00	02	61
	2328	00	02	49		329	00	00	10
	2327	00	02	62		331	00	10	84
	2307	00	04	64		334	00	05	28
	2323	00	01	64		333	00	00	28
	2322	00	08	14		336	00	09	23
	2309	00	04	23		335	00	10	74
	2321	00	07	96		339	00	12	58
	2310	00	09	75		345	00	06	57
	4786	00	02	13		344	00	01	32
	2311	00	09	01		346	00	06	22
	2289	00	00	10		208	00	04	89
	2288	00	01	97		359	00	06	04
	2287	00	00	65		209	00	12	26
	2312	00	01	30		210	00	03	97
	2278	00	10	37		204	00	07	67
	2277	00	08	71		211	00	00	94
	2281	00	00	22		213	00	00	65
	2275	00	00	87		202	00	06	50
	2276	00	07	35		124	00	00	23
	2235	00	06	79		55	00	14	75
	2236	00	02	92		203	00	13	37
	2237	00	01	27		56	00	03	48
	2241	00	07	47		123	00	00	85
						54	00	06	43
						57	00	13	98
						132	00	03	22
						131	00	10	87
						122	00	10	14
						141	00	00	26
						117	00	02	58

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(4) Thakur Chak (Contd.)	118	00	11	96	(5) Jayanpur (Contd.)	833	00	16	37
	115	00	01	13		732	00	08	84
	116	00	09	04		731	00	15	28
	120	00	01	01		730	00	06	42
	119	00	01	70		679	00	03	00
	51	00	01	06		680	00	10	24
	111	00	03	85		1065	00	01	80
	110	00	09	23		725	00	03	22
	107	00	00	76		724	00	03	66
	74	00	10	56		678	00	05	57
	109	00	07	24		656	00	01	29
	108	00	10	04		671	00	03	84
	81	00	15	21		699	00	17	95
	483	00	04	39		697	00	00	64
	102	00	04	80		695	00	09	30
	100	00	06	66		694	00	02	21
	101	00	11	44		702	00	00	10
	484	00	04	37		703	00	01	44
	97	00	00	12		691	00	15	80
	95	00	10	68		692	00	00	39
	94	00	00	36		690	00	01	24
	340	00	00	68		1015	00	00	23
	332	00	01	42		473	00	05	03
	394	00	01	40		475	00	02	52
	258	00	16	62		476	00	00	33
	259	00	02	59		471	00	00	28
	246	00	01	21		470	00	08	55
(5) Jayanpur	1057	00	06	57		469	00	02	43
	1056	00	06	91		468	00	07	35
	1039	00	02	53		467	00	04	06
	1054	00	12	34		465	00	04	26
	1052	00	13	96		466	00	07	04
	1050	00	01	16		463	00	01	34
	992	00	02	01		464	00	09	92
	990	00	01	88		461	00	00	39
	821	00	02	66		474	00	03	24
	991	00	26	20		705	00	08	72
	819	00	00	53		1038	00	00	33
	823	00	02	38		1041	00	01	24
	822	00	16	81		704	00	00	73
	817	00	06	05		1093	00	00	10
	825	00	01	84		472	00	01	16
	824	00	09	10	(6) Pathuria	441	00	01	67
	816	00	00	84		331	00	03	86
	829	00	00	25		330	00	05	31
	830	00	15	98		329	00	07	94
	834	00	00	10		333	00	00	88
	832	00	21	63		332	00	16	21
	831	00	07	98		926	00	00	73
	735	00	00	53		336	00	11	80

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(6) Pathuria (Contd.)	334	00	09	04	(7) Bayal (Contd.)	2054	00	00	24
	338	00	04	08		2037	00	01	46
	357	00	00	10		2086	00	00	10
	349	00	07	82		2060	00	02	97
	348	00	11	67		2062	00	00	13
	337	00	00	27		2057	00	25	68
	352	00	07	69		2025	00	06	37
	355	00	08	13		58	00	01	39
	354	00	09	28		2059	00	12	98
	306	00	00	81		2076	00	00	19
	353	00	09	13		2064	00	02	51
	351	00	00	69		2063	00	07	86
	350	00	03	85		1725	00	00	35
	308	00	06	51		2066	00	02	13
Road bet suy no. 308 & 309		00	02	23		2065	00	13	60
	309	00	01	33		2240	00	04	08
	269	00	04	23		1563	00	00	30
	307	00	22	45		2166	00	00	10
	937	00	09	25		1554	00	02	25
	267	00	04	39		1715	00	00	10
	268	00	04	90		1609	00	01	37
	266	00	03	83		1611	00	01	55
	312	00	00	14		1610	00	01	71
	264	00	07	60		1716	00	04	50
	262	00	00	28		1707	00	00	18
	275	00	02	07		1704	00	01	14
	280	00	00	10		2475	00	02	87
	265	00	08	87		2474	00	03	84
	921	00	02	52		1706	00	01	70
	274	00	19	83		1717	00	11	67
	920	00	01	66		1708	00	04	18
	328	00	03	51		1712	00	04	79
	442	00	06	09		1661	00	13	43
	443	00	06	77		1718	00	02	26
	444	00	02	97		1701	00	07	70
	445	00	01	76		1553	00	18	09
	446	00	00	53		1702	00	04	10
(7) Bayal	2034	00	03	87		1570	00	08	95
	2033	00	16	27		1569	00	06	50
	2040	0	02	34		1713	00	15	21
	2036	00	04	22		1735	00	00	10
	2035	00	07	18		1564	00	01	49
	2232	00	01	39		1711	00	06	48
	2032	00	03	83		1705	00	09	10
	2028	00	07	31		1802	00	02	00
	2052	00	06	35		1658	00	04	85
	2009	00	00	31		1552	00	04	23
	2050	00	00	10		1608	00	10	24
	2056	00	24	24		1710	00	00	10
						1613	00	03	81

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(7) Bayal (Contd.)	2660	00	16	01	(9) Balarampur Part-II	55	00	00	25
	1736	00	11	78	(Contd.)	123	00	01	06
	1709	00	19	68		53	00	06	10
	1801	00	01	47		80	00	01	37
	1612	00	10	04		81	00	03	86
	1573	00	09	08		82	00	09	67
	1656	00	13	77		83	00	02	19
	2480	00	22	14		115	00	06	28
	2246	00	02	77		84	00	16	81
	1687	00	01	35		41	00	04	39
	In bet suy.	00	05	17		40	00	05	03
	no. 1687 &					69	00	09	21
	2568					36	00	02	09
	2568	00	04	74		38	00	01	42
	2693	00	05	78		37	00	06	80
(8) Narasinghapur	37	00	02	20		33	00	01	86
Jalpai	35	00	14	49		34	00	02	00
	36	00	13	59		32	00	19	23
	33	00	15	12		121	00	00	10
	32	00	01	87		31	00	06	41
	21	00	13	54		30	00	00	30
	22	00	08	85		113	00	00	09
	325	00	02	35		28	00	06	20
	198	00	00	44		24	00	00	74
	197	00	17	97		27	00	06	01
	199	00	11	45		26	00	02	36
	196	00	10	53		25	00	03	63
	195	00	19	88	Mandal/Tehsil/Taluk :				
	191	00	10	17	Nandigram-I	District :	State : West		
	190	00	13	16	(1) Bhimkata	Medinipur	Bengal		
	189	00	00	69		10	00	02	46
	187	00	02	05		1	00	04	93
	316	00	03	62		6	00	07	52
	224	00	03	08		363	00	01	20
	223	00	27	30		14	00	01	06
	222	00	01	44		214	00	02	00
	249	00	05	02		22	00	06	78
(9) Balarampur Part-II	108	00	16	15		4	00	03	23
	1101	00	00	17		3	00	02	97
	109	00	15	81		24	00	32	42
	107	00	24	43		23	00	04	34
	106	00	01	66		21	00	02	00
	73	00	04	46		31	00	12	37
	72	00	06	31		32	00	05	83
	105	00	09	93		101	00	09	64
	74	00	00	19		116	00	10	96
	126	00	05	13		115	00	05	50
	102	00	05	86		114	00	13	86
	77	00	02	07		135	00	06	48
	79	00	24	06		136	00	06	83
	100	00	02	23		137	00	04	92
						138	00	12	49

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
(1) Bhimkata (Contd.)	133	00	00	10	(2) Manu Chak	511	00	22	41
	229	00	22	53	(Contd.)	636	00	14	00
	230	00	00	54		637	00	14	61
	231	00	12	29		638	00	12	80
	232	00	13	18		632	00	02	60
	284	00	09	96		631	00	08	57
	233	00	00	57		628	00	47	75
	266	00	00	53		627	00	05	78
	267	00	00	73		623	00	07	51
	283	00	09	08		624	00	20	27
	282	00	08	63		706	00	02	77
	268	00	01	52		707	00	06	85
	270	00	00	11	(3) Manu Chak Jalpai	119	00	02	14
	280	00	15	85		781	00	05	01
	279	00	04	75		782	00	08	43
	273	00	00	19		792	00	08	15
	277	00	07	26		793	00	08	25
	274	00	02	59		791	00	00	12
	275	00	04	97		783	00	00	64
	276	00	04	61		784	00	13	61
In bet suy.		00	01	51		778	00	05	23
no. 276 &						203	00	07	44
VB						120	00	01	91
(2) Manu Chak	241	00	01	20		777	00	02	58
	140	00	18	14		691	00	00	24
	109	00	13	82		754	00	08	90
	138	00	08	90		692	00	06	24
	134	00	35	00		688	00	09	08
	133	00	09	39		687	00	06	33
	95	00	00	10		121	00	05	64
	96	00	15	52		122	00	00	10
	114	00	05	52		109	00	02	06
	115	00	08	32		90	00	10	72
	116	00	01	95		89	00	12	48
	118	00	09	74		88	00	17	29
	112	00	11	04		91	00	00	10
	117	00	00	37		87	00	00	46
	119	00	09	56		86	00	07	43
	122	00	07	23		92	00	02	67
	337	00	01	87		57	00	08	69
	338	00	01	71		58	00	21	77
	339	00	02	28		60	00	15	57
	547	00	00	12		61	00	15	45
	548	00	16	83		80	00	16	57
	549	00	05	59		64	00	00	24
	534	00	16	28		67	00	15	61
	538	00	00	37		68	00	00	10
	536	00	11	70		718	00	06	16
	525	00	10	27		717	00	06	16
	526	00	18	19		730	00	06	64
	527	00	00	45		729	00	04	91
	518	00	24	80		735	00	00	11
	522	00	00	33		1110	00	08	89
	521	00	00	77					
	519	00	09	82					
	520	00	00	64					

श्रम और रोजगार मंत्रालय

नई दिल्ली, 8 फरवरी, 2011

का. आ. 683.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 14/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-2-2011 को प्राप्त हुआ था।

[सं. एल.-12012/50/2008-आई आर(बी-1)]
रमेश सिंह, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 8th February, 2011

S.O. 683.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, received by the Central Government on 7-2-2011.

[No. L-12012/50/2008-IR(B-1)]
RAMESH SINGH, Desk Officer

ANNEXURE**BEFORE SHRI J. P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/14/2008 Date: 1-2-2011

Petitioner/ : The Asstt. General Secretary,
Party No. 1 State Bank Staff Union, Nagpur Module,
C/o Dy. General Manager, SBI Zonal Office,
S. V. Patel Marg, Kingsway,
Nagpur.

Versus

Respondent/ : The Chief General Manager,
Party No. 2 State Bank of India,
LHO, Synergey Building, G-Block,
Street No. C-6, Bandra-Kurla Complex,
Mumbai-400051.

AWARD

(Dated: 1st February, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of State Bank of India and their workman, Shri M. M. Bajaj for adjudication, as per letter

No. L-12012/50/2008-IR(B-1) dated 14-5-2008, with the following schedule :

"Whether the action of the management of State Bank of India, Nagpur in awarding punishment of dismissal without notice from the Bank service to Shri M. M. Bajaj, Assistant (Cash/Accounts) w.e.f. 30-12-2005 is just, legal and proper? To what relief is the workman entitled?"

2. Though, in this case, the reference had been received by the Tribunal on 22-5-2008 and the union representative on behalf of the workman had been directed to file the statement of claim, till 30-12-2010, statement of claim had not been filed by the union representative. However, in the interest of justice, on 30-12-2010, a last chance was given to the union representative to file the statement of claim on 1-2-2011. On 1-2-2011, none appeared on behalf of the workman. No statement of claim was also filed on that date. Hence the case was closed for passing award.

3. As no statement of claim was filed by the workman, it is found that the workman is not interested to proceed with the case. Hence, it is necessary to pass a "no dispute award". Hence, it is ordered :

ORDER

The case be treated as "no dispute award", due to the default of the workman.

J. P. CHAND, Presiding Officer

नई दिल्ली, 8 फरवरी, 2011

का. आ. 684.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक ऑफ़ बीकानेर एण्ड जयपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या 18/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-2-2011 को प्राप्त हुआ था।

[सं. एल.-12012/129/2006-आई आर(बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 8th February, 2011

S.O. 684.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 18/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of Bikaner and Jaipur and their workman, received by the Central Government on 7-2-2011.

[No. L-12012/129/2006-IR(B-1)]
RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JAIPUR

PRESENT

N. K. PUROHIT, Presiding Officer

I.D. No. 18/07

Reference No. L-12012/129/2006-IR(B-I)

Dated : 12-2-2007

The General Secretary
Akhil Bhartiya SBBJ Karamchhari Sangh
C-13, Ojhaji Ka Bagh
Gandhi Nagar Mod, Jaipur.

V/s

The Dy. General Manager
State Bank of Bikaner and Jaipur
Zonal Office, Sarojini Marg,
C-Scheme, Jaipur

AWARD

(Dated : 27th January, 2011)

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section 1 and 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following industrial dispute to this tribunal for adjudication which runs as under :

"Whether the action of the management of State Bank of Bikaner and Jaipur through Dy. General Manager, Zonal Office, Jaipur for utilizing workman Shri Ram Gopal Sharma, Driver as peon instead of driving the vehicle is justified? If not, what relief the workman is entitled to and from which date?"

2. Pursuant to the receipt of reference order, the registered notices were issued to both the parties. On perusal of the proceedings, it appears that the representative who appeared on behalf of the applicant union sought time for filing claim statement on 17-3-10, 26-4-10, 2-6-10, 29-7-10, 14-9-10 and 25-10-10. On 23-11-10 last opportunity was given to file the claim statement on next date i.e. 11-1-11, but none appeared on behalf of the applicant union on the said date, therefore, ex-party proceedings were drawn against the applicant union.

3. Heard submissions on behalf of the non-applicant.

4. The applicant union has failed to file any claim statement despite several opportunities provided to it and ex-party proceedings have been drawn against the applicant union. It appears that the applicant union is not willing to contest the case further. Under these circumstances, there is no material on record to decide the

reference under adjudication on merits. Therefore, "No Claim Award" is passed in this matter. The reference under adjudication is answered accordingly.

5. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 8 फरवरी, 2011

क्र. आ. 685.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. एम. पी. एण्ड डी. आई. एल. के प्रबंधन के संबद्ध निधायकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 96/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-2-2011 को प्राप्त हुआ था।

[सं. एल-22012/97/1994-आई आर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 8th February, 2011

S.O. 685.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 96/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Mine Planning and Design Institute Limited and their workman, which was received by the Central Government on 8-2-2011.

[No. L-22012/97/1994-IR(C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
BHUBANESWAR

PRESENT:

Shri J. Srivastava, Presiding Officer,
C.G.I.T.-cum-Labour Court,
Bhubaneswar.

IN INDUSTRIAL DISPUTE CASE No. 96/2001

Date of Passing Award - 18th January, 2011

Between

The Management of the Regional Director,
Central Mine Planning and Design Institute
Limited,
Regional Institute VII, 4th - 7th Floor,
Gruha Nirman Bhawan, Schivalaya Marg,
Unit-III, Bhubaneswar-751 001.

... 1st Party-Management

(And)

Their workman Shri Biswambar Sahu,
Represented through the Br. Secretary and
CC Member,
National Coal Organization Employee's and
Design Institute Ltd., Regional Institute-VII,
4th - 7th Floor, Gruha Nirman Bhawan,
Sachivalaya-Marg, Unit-III,
Bhubaneswar - 751 001

... 2nd Party-Union

APPEARANCES

M/s. N. K. Mishra, : For the 1st Party—
Advocate Management

M/s. R. K. Bose, : For the 2nd Party—Union
Advocate

AWARD

The Government of India in the Ministry of Labour has referred the present industrial dispute existing between the employers in relation to the management of C.M.P.D.I. Limited and their Workman in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 vide their letter No. L-22012/97/94-IR (C. II), dated 13-7-1994.

2. The dispute as mentioned under the schedule of reference reads as follows :

“Whether the action of the management of CMPDI in not regularizing the services of Shri Biswambar Sahu, casual workman inspite of the fact that his juniors have been regularized is justified ? If not, what relief the workman is entitled to ?”

3. A corrigendum substituting the dispute as mentioned in the letter of reference was received from the Ministry of Labour vide their letter of even number dated 31-8-1995. Accordingly the dispute now stands as mentioned in the preceding para.

4. The 2nd Party-Union representing the disputant-workman filed statement of claim and stated that the disputant-workman Shri Biswambar Sahoo joined as a casual worker at Rampur camp under CMPDI R.I.-VII in February 1986. Along with him five other persons were also engaged as casual workers in different camps. Feeling satisfied with the work of the disputant-workman the Management issued three certificates of conduct in his favour and verbally assured him of regularization of his service. Accordingly the officer-in-charge of Rampur camp sent a letter dated 10-3-1990 to the Regional Director, Bhubaneswar calling for his detailed attendance. Thereupon the Management sent a telegram to the Personnel Officer, CMPDI, R.I. - VII, Bhubaneswar on

16-10-1991 regarding month and year wise attendance of the workman. After receiving the telegram the Officer in-charge of the Rampur camp sent a detailed report of the workman on 20-10-1991. In this report the Management had shown that the disputant-workman had worked for more than 240 days. But the Management without considering his case again sent a letter to the Deputy Chief Personnel Manager, Ranchi calling for attendance of seven other casual workmen. One of those workmen Shri Kulamani Moharana had worked only for 194 days from January 1988 to May 1989 and for 147 days from June 1989 to May 1990. But the Management vide their letter dated 22-7-1991 issued to Shri Kulamani Moharana informed him that his service has been regularized. The Management also informed Shri Pradeep Toppo, Shri Debraj Bhaisal, Shri Dibasa Sah and Shri Lochan Singh that their services had been regularized vide office order dated 29-1-1990, though they had not completed 240 days of service in any year of employment. The disputant-workman made several representations to the Management for regularization of his service, but to no avail. The Management closed the Rampur camp in September 1992, but the disputant-workman was allowed to continue till December 1992 in the same camp. On 13-10-1992 he gave a letter to the Officer-in-charge of Rampur camp for regularization of his service. But the Management without considering his case retrenched him in January 1993. Thereafter he took shelter before the Asst. Labour Commissioner (Central), but nothing fruitful was done. It is therefore prayed that his service as a workman in Category-I General Mazdoor be regularized from the year 1990 with back wages from the date of regularization.

5. The 1st Party-Management replied in their written statement that the purported complaint of the Union is beyond the scope of adjudication as it cannot be construed as an industrial dispute. The 2nd Party-workman was engaged as a casual worker intermittently against certain leave vacancies in exigencies of work on his personal approach. He has never completed 240 days of work during any calendar year. His attendance figure for the last three years preceding cessation of engagement shows a dismal picture which does not justify his claim. His engagement was never continuous or uninterrupted. He was engaged in various temporary nature of jobs and quite often as a badli casual worker such as truck helper, security guard, litter helper etc. He was well aware of his status of engagement. He was never in the permanent rolls of Rampur camp of C.M.P.D.I. Regularization of casual/temporary workers used to be done at the headquarters level. He never completed 240 days of actual working period in a calendar year. Under the certified Standing Order of the C.M.P.D.I., which came into effect on 7-8-1991, regularization of casual or temporary workers is done after completion of 240 days of attendance in any post or category either after the operation of the standing orders

or during one year immediately preceding thereto. Since the case of the disputant workman did not fall in any of the categories for consideration his case could not be considered by the 1st Party-Management. The dispute after being raised before the Asst. Labour Commissioner (Central), Bhubaneswar, the Management resisted the false and concocted assertion made by the Union on behalf of the disputant-workman. The conciliation ultimately, failed. The Management never gave any assurance to the disputant-workman for regularization of his service. All such averments are baseless, untrue and misconceived. The letter dated 30-3-1991 was admittedly issued by the 1st Party-Management, but the same was in respect of casual workers engaged at Talcher camp only and it had no relevance whatsoever with the Rampur camp. With regard to the regularization of Kulamani Maharana it has been submitted that his regularization was an outcome of a settlement between the Management and the concerned Union in course of conciliation proceedings. In the cases of other workers their attendance in the year 1988 and thereafter was considered by the Management before issuing letter of regularization. The attendance figures of the 2nd Party-workman during the relevant time fell short of others who were considered for regularization. The Rampur camp was closed in September 1992 for under utilization of manpower and machinery. Hence utilization of service of the disputant-workman till December 1992 did not arise. The question of alleged regularization of juniors to the 2nd Party-workman does not arise in the case of casual workers. Thus the reference is totally misconceived and is liable to be answered in favour of the 1st Party-Management and against the 2nd Party-workman.

6. The 1st Party-Management has further filed an additional written statement in which they have challenged the corrigendum issued by the Government of India on the ground that by substituting the original reference, nature and scope of the present dispute has been changed in material aspect. As such a fresh reference dated 8-9-1995 is untenable and should be rejected as not maintainable. It is arbitrary, unilateral and violative of principles of natural justice.

7. In his rejoinder to the written statement the 2nd Party-workman has reiterated those facts which were averred in the statement of claim and also explained the points raised by the 1st Party-Management in their written statement.

8. On the pleadings of the parties following issues were framed for adjudication :

ISSUES

- (1) Whether the action of the Management of CMPDI in not regularizing the services of Shri Biswambar Sahu, casual workman in spite of the

fact that his juniors have been regularized is justified ?

- (2) To what relief, if any, the workman is entitled ?

- (3) Whether the reference is maintainable ?

9. The 2nd Party-Union has examined two witnesses, namely Shri Biswambar Sahoo as W.W.-1 and Shri Pravakar Tripathy as W.W.-2 on its behalf and filed five numbers of documents proved and exhibited as Ext.-1 to 5.

10. The 1st Party-Management has examined three witnesses, namely Shri S. R. Kurandwad as M.W.-1, Shri Muralidhar Naik as M.W.-2 and Shri Birendra Prasad Singh as M.W.-3 on their behalf and filed 23 numbers of documents proved and exhibited as Ext.-A to N.

FINDINGS

Issue No. III

11. As this issue relates to maintainability of the reference it is taken up first.

12. The 1st Party-Management has raised this issue, firstly, on the ground that the order of reference is not maintainable as it does not constitute an industrial dispute and secondly, by issuing corrigendum dated 18-9-1995 the Government of India in the Ministry of Labour has changed the nature and scope of the original reference to a material extent. The action of the Central Government in substituting the original reference by another reference without giving any opportunity of hearing to the 1st Party-Management is arbitrary, unilateral and also violative of the principles of natural justice. The Government has no power either express or implied to supersede or cancel an old reference hence substituting a new one in its place amounts to withdrawal of a reference validly made.

13. It is an undisputed fact that the Government of India in the Ministry of Labour has previously referred the dispute on 13-7-1994 to the following effect :

Whether the action of the Management of CMPDI is justified in not regularizing services of Shri Biswambar Sahu, Casual workman who worked from 1986 to 1993 as per clause 3.7 of certified Standing Order and in view of the fact that his juniors have been regularized ?

14. Subsequently through a corrigendum dated 31st August/8-9-1995 issued by the Government of India in the Ministry of Labour schedule of reference made earlier was substituted in the following words :

Whether the action of the Management of CMPDI is not regularizing the services of Shri Biswambar Sahu, casual workman in spite of the fact that his juniors have been regularized is justified ? If not, what relief the workman is entitled to ?

15. It has been stated on behalf of the 2nd Party-Union that the earlier reference dated 13-7-1994 did not include any relief portion. Hence no relief could have been given to the disputant-workman. The disputant-workman took the matter to the appropriate Government and the Government has made necessary correction in the reference through the corrigendum. The impugned corrigendum has neither superseded nor cancelled nor withdrawn the reference. The Government has ample power to correct the reference to enable the Tribunal to give relief. In this reference the case of "State of Bihar – Verjus-D. N. Ganguly and others" (AIR 1958 SC 1018) has been relied upon by the 1st Party-Management. In this case the decision of the Hon'ble Apex Court was confined to the narrow question as to whether an order of reference made by the appropriate Government under section 10(1) can be subsequently cancelled or substituted by it. The question of Government's power to amend or to add to a reference made under section 10(1) was not considered here. The Hon'ble Apex Court held that "the Act (I.D. Act 1947) does not expressly confer any power on the appropriate Government to cancel or supersede a reference made under section 10(1) of the Act nor can such power be claimed by implication on the strength of Section 21 of the General Clauses Act.

16. In the above noted case the Government of Bihar referred an industrial dispute between the Management of Bata Shoe Co. Ltd. Dighaghat (Patna) and their 31 workmen. The dispute was whether the dismissal of the workmen in question was justified? If not, whether they were entitled to reinstatement or any other relief? Later, near about three months thereafter a similar industrial dispute between the same Bata Shoe Co. Ltd. and its 29 other workmen was referred by the Government of Bihar to the same Tribunal. Both the references were consolidated by the Tribunal and it made some progress. The Government of Bihar issued a third notification on 17-9-95 superseding the two earlier notifications to combine the said two disputes into one dispute, to implead the two sets of workmen involved in the two said disputes together and to add the Bata Mazdoor Union to the dispute, and to refer it to the adjudication of the same Industrial Tribunal. The dispute thus referred to the Tribunal was, "Whether the dismissal of the 60 workmen, mentioned in Annexure-B was justified or unjustified, and to what relief, if any, those workmen are entitled". Consequently the Tribunal passed order cancelling the hearing of the two prior references and directing that the files of the said references should be closed. The Bata Company and its workmen approached the Patna High Court for quashing of the last notification which, in result, was quashed. Then this matter went to the Apex Court in appeal. The Hon'ble Apex Court upheld the findings of the Hon'ble Patna High Court cancelling the first two notifications by the Government of Bihar as invalid and

ultra vires and ordered to go on with the previous two references which have remained pending before the Tribunal for fairly a long time.

17. Now it has to be seen as to whether by issuing corrigendum the Government of India in the Ministry of Labour has cancelled or superseded the previous reference or it was only a correction or amendment to the original reference?

18. On comparison with the original schedule of reference it comes out that certain words read as "who worked from 1986 to 1993 as per clause 3.7 of certified Standing Order" were deleted in the corrigendum and a relief clause was added which was not there in the earlier schedule of reference. It is not clear as to why the working period of the disputant-workman from 1986 to 1993 was deleted alongwith the words "as per clause 3.7 of the certified Standing Order". It appears that the service period of the disputant-workman was wrongly mentioned in the earlier schedule of reference as the case of the disputant-workman was that he worked as a casual worker from February, 1986 to December, 1992. The certified Standing Order came into operation on 7-8-1991. According to the version of the 1st Party-Management these standing orders do not apply in the case of the disputant-workman as he was employed prior to coming into force of the certified Standing Order? Therefore, due to above reasons the above noted portions from the corrigendum of the schedule of reference might have been deleted and the relief clause was added as it was some how left. The corrigendum wholly substituted the original schedule of reference though it was in substance the same with regard to the dispute. Therefore, it cannot be called a new reference superseding the previous one. In my view it was only a correction or amendment of the mistake crept in the original reference. Although Section 10 of the Industrial Disputes Act, 1947 does not permit the appropriate Government to withdraw or supersede or cancel the reference altogether earlier made, by a subsequent notification, yet under the inherent powers if there comes any mistake that may later be corrected or amended. Likewise if in the schedule of reference anything material with regard to the industrial dispute has been left out mistakenly it may be added by way of corrigendum. Perhaps sub-section (4) of Section 10 of the Act has been inserted for the purpose which reads out as below :

"Where in an order referring the industrial dispute to a Labour Court, Tribunal or National Tribunal under this section or in a subsequent order (emphasis laid) the appropriate Government has specified the points of dispute for adjudication, the Labour Court or the Tribunal or the National Tribunal, as the case may be, shall confine its adjudication to those points and matters incidental thereto".

19. In view of the matter the plea of the 1st Party-Management that the reference is not maintainable on the ground of alteration in the nature and scope of the original reference and it is beyond the powers of the appropriate Government does not hold good. So far as the existence of industrial dispute on the basis of the schedule of reference and consequently on the pleadings of the parties is concerned they certainly constitute an industrial dispute and the reference cannot be said to be non-maintainable on the aforesaid ground. Thus all the pleas taken in this regard by the 1st Party-Management shatter down and the issue is decided against the 1st Party-Management.

Issue Nos. 1 and 2

20. As both the issues are inter-dependant and interconnected with each other, they are taken up together for convenience sake.

21. It is an undisputed fact that the disputant-workman Shri Biswambar Sahu had worked as a casual workman under the 1st Party-Management from 21-2-1986 to September, 1992. The disputant-workman has also pleaded that he had worked till December, 1992 even after closure of the Rampur camp of the CMPDI, though it is denied by the 1st Party-Management. But the 1st Party-Management itself has filed the attendance sheet of the disputant-workman for the months of November, 1992 and December, 1992. Though these attendance sheets have not been marked exhibits in the evidence of Management witnesses, perhaps intentionally to deny the allegation of the disputant-workman yet they show that he had worked till December, 1992 in the Rampur camp. However, that is not a material fact to affect the decision of the case. The case of the disputant-workman is that he had worked for more than 240 days in a calendar year during April, 1986 to March, 1987. It is evident from Ext.-E and Ext.-F/1 filed by the 1st Party-Management itself. The 1st Party-Management has refuted the allegations of the disputant-workman and contended that the disputant-workman had not completed 240 days continuous service in a calendar year as is reflected from the letter dated 16-4-1993 sent by the Personnel Officer of the CMPDI to the Asst. Labour Commissioner (Central), Bhubaneswar. The officer had informed the Asst. Labour Commissioner (Central), Bhubaneswar that during the period of engagement Shri Biswambar Sahu had not completed 240 days attendance in a calendar year. As such he was not regularized. It was further stated that Shri Biswambar Sahoo was engaged as and when required for temporary or for non-perennial nature of job and provisions of certified Standing Order dated 8-7-1991 will not be applicable in his case because he was engaged prior to the certification of the Standing Order. The attendance sheet Shri Biswambar Sahu which was sent to the Regional Director, CMPDI, R.I.-7, Bhubaneswar marked as Ext.-E and F/1 shows year-wise attendance of Shri Biswambar Sahu from the year 1986 to 1989. In none of these years Shri Biswambar Sahu had put

in 240 days service, but it was written underneath that he has completed 241 days from April, 1986 to March, 1987. There has not been made any specific provision under the Industrial Disputes Act, 1947 as to from which month, calendar year for calculation of continuous service of 240 days shall start. Clause (a) of sub-section (2) of Section 25-B of the Industrial Disputes Act only says that :

“(a) for a period of one year, if the workman, during a period of 12 calendar months preceding the date with reference to which calculation is to be made has actually worked under the employer for not less than :

- (i) one hundred and ninety days in the case of a workman employed below ground in a mine; and
- (ii) two hundred and forty days, in any other case;

22. It is relevant to mention here that the officer in-charge, CMPDI exploration camp, Rampur has sent the attendance sheet of the disputant-workman to the Regional Director CMPDI, R.I.-7, Bhubaneswar-I by letter dated 10-3-1990 (Ext.-3) and to the Chief Personnel Manager, CMPDI Headquarters, Ranchi on 20-10-1991 (Ext.-4). Therefore, it has to be taken to mean that the calculation of 240 days continuous service for the purpose of regularization has to be reckoned either from the month of February, 1990 or September, 1991 to the preceding rest of the 11 months. There is no evidence on record that the disputant-workman has completed 240 days service from the month of February/March, 1990 or September/October 1991 to the preceding 11 months i.e. from February/March, 1989 to January/February, 1990 or from September/October, 1990 to August/September, 1991. Therefore it comes out that on the date of consideration of the matter of regularization of the disputant-workman he had not completed 240 days continuous service as envisaged under Section 25-F of the Industrial Disputes Act. In this view of the matter his case for regularization in service was rightly rejected by the 1st Party-Management, of course, without any regard for discrimination.

23. Now the question arises as to whether the action of the Management of CMPDI is justified in not regularizing the services of the disputant-workman Shri Biswambar Sahoo despite the fact that his juniors were regularized. The 1st Party-Management has taken two stands in his behalf, firstly they alleged that they had not regularized any person purportedly junior to Shri Biswambar Sahoo and secondly, that there is no question of treatment of casual workers as junior or senior. As such the question of alleged regularization of juniors to the disputant-workman does not arise. These assertions of the 1st party-Management explicitly make it clear that juniors to the disputant-workman have been regularized in service by

the 1st Party-Management. Although it is not very much clear as no evidence regarding inter-se-seniority of the disputant-workman has been led by either of the parties, yet there is a statement on record of Exploration Camp at Gopalpur regarding date of engagement of casual workers duly signed by the Officer-in-charge which shows that except Pradip Topo, Debraj Bhaisal, Debasa Shah and Lochan Singh joined the service after the disputant-workman in the year 1986. But they had been regularized by office order dated 19-1-1990 which is Ext.-A. This office order does not disclose as to whether they had completed 240 days of service on the date of consideration preceding the 12 calendar months. M.W.-1 Shri S. R. Khandual could not tell about any of the workmen regularized in Gopalpur Camp was junior to the 2nd Party-Workman. He has stated that no seniority list or casual workmen is prepared. He has specifically stated that he did not remember if each of the workmen as per Ext.-A had completed 240 days of continuous employment. M.W.-2 Muralidhar Nayak, who was officer-in-charge of Rampur camp from January, 1982 to September, 1989 has stated that engagement of Shri Biswambar Sahoo in Rampur camp was not regular and continuous. It was intermittent in nature. His service was required for exigencies of work. He has denied that the case of Shri Biswambar Sahoo was overlooked though he was senior to Pradip Topo etc. M.W.-3 Shri B. P. Singh, Personnel Manager at Ranchi Headquarters has stated that the service of Shri Kulamani Moharana working at Talcher camp was regularized by virtue of tripartite settlement vide Ext.-L/1 which shows that he had completed 240 days of service. Since the Rampur camp was under closure there was no necessity for regularizing the services of any casual worker. He has also stated that after closure of Rampur camp the disputant-workman was not engaged and no compensation was paid to him. He has denied the fact that Shri Pradip Topo and others were junior to the disputant-workman. He has further stated that seniority as a whole was not maintained, but it was maintained camp wise. But mere oral submissions do not suffice and it remains open to challenge whether juniors to the disputant-workman were regularized in service or not?

24. In this regard the disputant-workman Shri Biswambar Sahoo has stated that four employees, namely, Pradip Topo, Debraj Bhaisali, Lochan Singh, Dibasa Shah were engaged as casual labourers after him in Gopalpur camp while he was working as a casual worker in Rampur camp. The Officer-in-charge has recommended for his regularization vide Ext.-3 and sent his attendance vide Ext.-4. The working particulars of seven persons junior to him were also sent to the Head Office vide Ext.-5. One Kulamani Moharana out of them was regularized in service. He was junior to him. But the contention regarding Kulamani Moharana is not tenable as the office order regarding his regularization speaks out completion of 240 days service, while the disputant-workman has not completed 240 days of continuous service at the time of

consideration of his case. He could not tell anything about the attendance of other casual workers working in other camps who were regularized by the 1st Party-Management. W.W.-2 Shri P. Tripathy has stated in his evidence that regularization of Kulamani Moharana was done pursuant to a tripartite settlement. Regarding other four persons, who were regularized in service, he expressed his inability to tell about the period of their engagement. Therefore, his evidence also does not help in deciding the fact as to whether juniors to the disputant-workman were regularized in service by the 1st Party-Management.

25. The initial burden to prove the fact that juniors to the disputant-workman were regularized in service by the 1st Party-Management though lies on the disputant-workman, yet by asserting that his juniors were regularized by the 1st Party-Management he has discharged his burden to prove that fact. Now the burden shifts on the 1st party-Management to deny the fact by specific evidence as the whole service record has to be maintained by the Management. But the Management has not come out with clean hands and led the true facts before this Tribunal to disprove the factum of juniors to the disputant-workman having been regularized in service. Ext.-5 filed by the contestant union on behalf of the disputant-workman shows that five casual workers excepting Shri Kulamani Moharana were not regularized as they had not worked for 240 days in a calendar year. They had put in very lesser number of days in service. The disputant-workman has alleged them junior to him. This fact gains significance as their services were required to be ceased before the disputant-workman on closure of the Rampur Camp. It is not clear as to what has been done with regard to these casual workmen on closure of Rampur Camp. Ext.-D filed by the 1st Party-Management only recites that 20 workmen and two officers of drilling camp at Rampur are transferred to Hydrogeological Department, CMPDI Headquarters after closure of the drilling camp at Rampur. It does not name any of the workmen who had been transferred and nothing has been mentioned about the casual workers. Thus it appears with some certainty that the justice has not been meted out to the disputant-workman while ceasing his job as casual workman. Since a long period of about 18 years has elapsed and the drilling camp at Rampur is not in operation, no relief with regard to providing him job of casual worker can be granted. But viewing the high handedness of the 1st Party-Management in violating the principles of natural justice and the statutory provisions of the Industrial Disputes Act, I think it proper to award Rs. 50,000 to the disputant-workman as compensation in the facts and the circumstances of the case. The above two issues are decided accordingly. The compensation shall be paid to the disputant-workman within a period of three months from the date of publication of the Award.

26. The reference is answered with the above directions.

Dictated and Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 8 फरवरी, 2011

का. आ. 686.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सी.पी.आर.एस. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 582/2005/583/2005 और 584/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-2-2011 को प्राप्त हुआ था।

[सं. एल.-42012/82/2003-आई आर(सी-II),
एल.-42012/8/2003-आई आर(सी-II),
एल.-42012/6/2003-आई आर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 8th February, 2011

S.O. 686.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 582/2005, 583/2005 & 584/2005) of the Central Government Industrial Tribunal-cum-Labour Court-II, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Potato Research Station and their workmen, which was received by the Central Government on 08-2-2011.

[No. L-42012/82/2003-IR(C-II),
L-42012/8/2003-IR(C-II),
L-42012/6/2003-IR(C-II)]

D.S.S. SRINIVASARAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present :

Sri A.K. Rastogi, Presiding Officer.

1. Case No. I.D. 582/2005
Registered on 23-08-2005

Sh. Salig Ram S/o Sh. Shiv Ram, Village Tathakar, P.O. Majhar, Tehsil Theog, District Shimla (H.P.)

2. Case No. I.D. 583/2005
Registered on 23-08-2005

Sh. Balak Ram S/o Sh. Mansa Ram R/o Village Makhrol, P.O. Fagu, Tehsil Theog, District Shimla (H.P.)

3. Case No. I.D. 584/2005
Registered on 23-08-2005

Narotam Ram S/o. Sh. Padma Ram, R/o Village Bagha, P.O. Fagu, Tehsil Theog, District Shimla (HP). ... Applicants

Versus

The Office In-charge, Central Potato Research Station, Kufri, Shimla Hills, Shimla (HP)-171012 ... Responder

APPEARANCES:

For the workmen : Sh. Pawan Sharma, Advocate in I.D. No. 582/2005

Sh. Vivek Sharma & Archana Sharma, Advocates in I.D. No. 583/2005 and ID No. 584/2005

For the Management : S/Sh Raj Kumar Sharma, Arun Batra & Amit Sharma, ARs.

AWARD

Passed on 28th December, 2010

Central Government vide Notification No. L-42012/82/2003-IR (CM-II) Dated 06-04-2004 (in ID No. 582/2005), Notification No. L-42012/8/2003 IR(CM-II) Dated 12-05-2004 (in ID No. 583/2005) and Notification No. L-42012/6/2003-IR (CM-II) Dated 12-05-2004 (in ID No. 584/2005), by exercising its powers under Section 10 Sub-section (1) Clause (d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the following industrial disputes respectively for adjudication to this Tribunal :

1. "Whether the action of the management of Central Potato Research Station, Kufri, Shimla Hills (HP) in terminating the services of Sh. Salig Ram, Ex-Beldar (Daily Wage basis) in the year 1997 without any notice and without any payment of retrenchment compensation is legal and justified? If not, to what relief the concerned workman is entitled and from which date?"
2. "Whether the action of the management of Central Potato Research Station, Kufri, Shimla Hills (HP) in terminating the services of Sh. Balak Ram, Beldar (Daily Wage basis) without any notice and without any payment of retrenchment compensation is just, fair and legal? If not, to what relief the concerned workman is entitled and from which date?"
3. "Whether the action of the management of Central Potato Research Station, Kufri, Shimla Hills (HP) in terminating the services of Sh. Narotam Ram, Ex-Beldar (Daily Wage basis) without any notice and without any payment of retrenchment compensation is just, fair and legal? If not, to what relief the concerned workman is entitled and from which date?"

In all the above three references common questions of law and facts are involved, hence, they are being adjudicated upon by this single award. In I.D. No. 582/2005 vide reference No. L-42012/82/2003-IR (CM-II) Dated 06-04-2004, in I.D. No. 583/2005 vide reference No. L-42012/

8/2003-IR (CM-II)) Dated 12-05-2004 and I.D. No. 584/2005 vide reference No. L-42012/6/2003-IR (CM-II)) Dated 12-05-2004.

The workmen were engaged as Beldars on daily wage basis in different years by the management. Their services were terminated in the year 1997. The specific date of termination of service has not been given in the claim statements. The workmen have raised an industrial dispute by stating that their services were terminated without giving any termination notice or retrenchment compensation as per provisions of Section 25F of the Act though they have completed more than 240 days in every preceding year during their engagement and persons junior to the claimants were retained and engaged by the respondent in violation of the provisions of Section 25H of the Act.

In I.D. No. 582/2005 the workman Salig Ram had additionally pleaded that he is entitled to regularization in Group 'D' post and also for temporary status as per Government of India D.P. & T. OM No. 49014/18/84-DS + C dated 07-05-1985.

The workman have prayed for his reinstatement with all consequential benefits.

The claim was contested by the respondent. It was stated that management is not an industry and there is no relationship of employer and employee between the management and workman. In O.A. No. 233/HP/2001 the Hon'ble Central Administrative Tribunal has held that the claimants along with others were being kept for work by the contractor and also that the workmen have not completed 240 days including broken days. The workmen cannot re-agitate the same pleas before this Tribunal. Their claims are time barred also. Workmen had moved earlier another Original Application in O.A. No. 234/HP/98. They had claimed many reliefs in the aforesaid Original Applications, which will be deemed to have been declined by the Hon'ble Tribunal and the present reference before this Tribunal is liable to be declined on this ground alone. Since April 1998 the work which is of purely seasonal nature, is being given to contractors and no direct casual worker was engaged after April 1998.

In I.D. No. 582/2005, the workman Salig Ram has named certain persons as junior to him and retained or re-engaged by the management in violation of Section 25H of the Act. Regarding these persons the management in its written statement has stated that having completed 240 days in the preceding year and being on Muster Roll in the year 1993 these persons had fulfilled the eligibility criteria and therefore, were conferred temporary status as per judgment of Hon'ble Supreme Court in Union of India & another Versus Mohan Pal J.T. 2002 (Suppl.) (1) SC 312 and clarification dated 06-06-2002 issued by ICAR.

In I.D. No. 583/2005 and 584/2005 workmen have filed rejoinder also. It was submitted that at the time when OA No. 233/HP/2001 was disposed the workmen were engaged through contractor but the employment of the workmen had been terminated in 1997 and the respondent, in the authority below, has admitted that the workmen had completed 240 days in preceding 12 calendar months and were in the employment of the respondent. The workmen cannot be denied relief under the Act on the basis of the findings recorded in OA No. 233/HP/2001. There is a relationship of employer and employee between the respondent and the workmen. The man days shown in the written statement are not correctly calculated. They were entitled to temporary status.

On the pleadings of the parties, the following issues arise for consideration :

1. Whether the management is an industry, if not its effect ?
2. Whether there is a relationship of employer and employee between the respondent and workmen ?
3. What is the effect of the order of Hon'ble Central Administrative Tribunal in OA No. 234/HP/98 and OA No. 233/HP/2001 ?
4. Whether the reference can be invalidated on the grounds of its being time barred ?
5. Whether the workmen are entitled to the protection of Section 25F of the Act and whether their services were terminated in violation of the aforesaid provisions ?
6. Whether persons junior to workmen were retained by the respondent in violation of Section 25G of the Act, if so, its effect ?
7. Whether subsequent to the termination of the workmen, persons junior to them were engaged by respondents in violation of Section 25H of the Act, if so, its effect ?
8. To what relief, if any, are the workmen entitled to ?

It will be relevant to clarify here that the plea raised by workman Salig Ram in ID No. 582/2005 that he is entitled to regularization in Group 'D' post and also for temporary status as per Government of India DP&T OM No. 49014/18/84-DS + C dated 07-05-1985 is beyond the scope of the reference. The reference is with regard to the legality and justification of the termination of the service of the workman without any notice and without any payment of retrenchment compensation and not whether the workman is entitled to regularization or to a temporary status. The plea raised by the workman in this regard is not incidental

either to any of the issues involved for the adjudication of the disputes.

In support of their claims the workmen have tendered their affidavits, while on behalf of respondent the affidavit of A. S. Koprata, Assistant Administrative Officer has been tendered in evidence along with certain Annexures.

I have heard the learned counsel for the parties and perused the evidence on record. My findings on the various issues are as follows :

Issue No. 1

The management has taken a plea that it is an institute conducting research activities in the Potato to guide the Potato growers and there is no commercial activity. It is not producing and distributing services, which are intended or meant for specifying human wants and needs. It is more an institution discharging governmental functions than a commercial enterprise. The jurisdiction of the Tribunal has been denied on this ground.

Regarding this plea the law laid down by the Hon'ble Apex Court in the leading case Bangalore Water Supply and Sewerage Board Versus A. Rajappa & another 1978-1 LLJ 349 is important. Regarding Research Institute, the Hon'ble Court held :

"Even though a Research Institute may be a separate entity disconnected from the main industries which founded the institute itself it can be regarded as an organization, propelled by systematic activity, modeled on cooperation between employer and employee and calculated to throw up discoveries and inventions and useful solutions which benefit individual industries and the nation in terms of goods and services and wealth. It follows that research institute, albeit run without profit motive, are industries."

In view of the law laid down by the Apex Court, it is clear that the respondent in the case is an industry. Issue No. 1 is decided against the management/respondent.

Issue Nos. 2 & 3

On the basis of the order passed by the Hon'ble Central Administrative Tribunal in OA No. 233/HP/2001 it was argued by the learned counsel for the management that it has been held by the Hon'ble Tribunal that the workmen are contractor's men and there is no relationship of employer and employee between the respondent and the workmen. The management has made available order of the Hon'ble Tribunal in the aforesaid case. It is Annexure R-1 on the record of ID No. 583/2005.

The learned counsel for workmen disputed this argument. In OA No. 233/HP/2001 workman Balak Ram of ID No. 583/2005 and Narotam Ram of ID No. 584/2005 were also applicants. It is important to note that the application

in the said case was moved in 2001 i.e. subsequent to the termination of the workmen in 1997. In that case the case of the workmen was that since 1997 they were deemed retrenched without any notice and without any retrenchment benefits and since then the Seed Potato cultivation job was declared to have been assigned to contractor.

From the written statement of the management also it is clear that the work is being done through contractors since April 1998. Obviously, the contract system was not prevalent during the employment of the workmen which lasted upto 1997 only. The plea of the management, therefore, that the workmen are the men of contractor on the basis of the order of the Hon'ble Tribunal in O.A. No. 233/HP/2001 does not hold ground.

In OA No. 234/HP/1998 the rights of any party were not decided by the Hon'ble Tribunal. The applicants, however, were given liberty to file a representation for the consideration of the authority concerned by detailing all the reliefs which they were entitled to.

Thus, the orders of the Tribunal have no effect on the dispute involved in the present references.

The management on merits in para No. 1 has admitted in their written statement that the workmen had been engaged by it and they worked up to the season period of 1997. It is, therefore, clear that there was a relationship of employer and employee between the workmen and respondent.

Issue Nos. 2 and 3 is therefore, decided against the management.

Issue No. 4

Management has agitated that the claim petition is time barred but from the law laid down by the Hon'ble Supreme Court in Karan Singh Versus Executive Engineer Haryana State Marketing Board 2007 (4) RSJ 675 the Industrial Tribunal cannot invalidate the reference on the ground of delay. The employer may challenge the reference by way of writ petition and say that since claim is belated there is no industrial dispute. Issue No. 4 is decided against the management.

Issue No. 5

The workman Balak Ram and Narotam Ram in ID No. 583/2005 and 584/2005 have stated to have completed more than 240 days in each preceding 12 months in a calendar year. Similarly the workman Salig Ram in ID No. 582/2005 had alleged that he has completed 240 days in every preceding 12 calendar months during his engagement. The workmen have not alleged to have completed 240 days service in 12 calendar months preceding to the date of their termination. They have not given the date and month of their termination either. For the protection of Section 25F of the Act only the working days of 12 calendar months

preceding to the date of termination are relevant. It is not relevant that how many days a workman worked in earlier years. Therefore, the workmen have failed to plead even that they had completed 240 days service in the 12 calendar months preceding to the date of termination of their services. As per written statements in ID No. 583/2005, the workman Balak Ram in the year 1997 worked for 121 days including the broken period and in ID No. 584/2005 the workman Narotam Ram worked in 1997 for 231 days including broken period of 13 days. Thus, according to management in the year 1997, the said workmen did not complete 240 days of service. It is important to note that the initial burden is on the workman to prove that he has worked for 240 days in the 12 calendar months preceding to the date of termination. The aforesaid workmen have failed to discharge their burden. Obviously, they are not entitled to the protection of Section 25F of the Act.

The case of workman Salig Ram of ID No. 582/2005 is, however, different. In Annexure 2 of the written statement of the respondent, the workman Salig Ram has been shown to have worked for 242 days including broken period in the year 1997. Obviously, he was entitled to the protection of Section 25F of the Act and his services could not have been terminated without notice and without paying retrenchment compensation.

It is, therefore, held that the termination of the services of workman Balak Ram in ID No. 583/2005 and Narotam Ram, in ID No. 584/2005 without notice and paying retrenchment compensation as per provisions of Section 25F of the Act are legal and justified while the termination of service of Salig Ram in ID No. 582/2005 is illegal and unjustified being in violation of the provisions of Section 25F of the Act. Issue No. 5 is accordingly decided against Balak Ram, Narotam Ram in ID No. 583/2005 and ID No. 584/2005 respectively and in favour of Salig Ram in ID No. 582/2005.

Issue No. 6

Workmen have alleged that persons junior to them were retained by the respondent in violation of Section 25G of the Act. Workman Salig Ram in ID No. 582/2005 has named persons who were juniors to him and were retained by the respondent. The other workmen have not named these persons.

According to the learned counsel for the respondent the persons named had been conferred temporary status as they had completed 240 days in the preceding year and were on the Muster Roll in the year 1993 as a one time measure as per the directions of the Hon'ble Supreme Court in Union of India & another Versus Mohan Pal JT 2002 (Suppl.) (1) SC 312. From the Office Memorandum dated 06-06-2002 Annexure R-4 on the file of ID No. 582/2005 it appears that in the Casual Labourers (Grant of

Temporary Status and Regularization) Scheme of Government of India, 1993, temporary status was conferred on all casual labourers who were in employment on the dates of issue of the OM (namely 10-09-1993); if they had rendered a continuous service of at least one year, which means that they must have been engaged for a period of at least 240 days (206 days in the cases of offices observing 5 days' week).

The Hon'ble Supreme Court in Union of India & another Vs. Mohan Pal etc. (Supra) held :

"The scheme of 01-09-1993 is not an ongoing scheme and the temporary status can be conferred on the casual labourers under that scheme only in fulfilling the conditions incorporated in Clause IV of the Scheme namely; they should have been casual labourers in the employment on the date of commencing of the scheme and they should have rendered continuous service of at least one year i.e. at least 240 days in a year or 206 days (in case of offices having 5 days a week)."

The workmen have not alleged that the persons junior to them and named in the claim statement of ID No. 582/2005 were not entitled to the benefit of the scheme. It is clear that persons junior to workmen were retained in service on fulfilling the condition stipulated in the aforesaid scheme and there is no violation of Section 25G of the Act. Issue No. 6 is decided against the workmen.

Issue No. 7

The workmen alleged the violation of Section 25H of the Act also and had stated that subsequent to the termination of their services, fresh hands were employed. But the workmen have not given the specific instance. The respondent on the other hand pleaded that no direct casual worker has been engaged after April 1998 as work is being done through contractor. The workmen have failed in discharging the burden to prove the violation of Section 25H of the Act also. Issue No. 7 is therefore, decided against the workmen.

Issue No. 8

From the above going discussion, it is clear that Workman Balak Ram in ID No. 583/2005 and Narotam Ram in ID No. 584/2005 are not entitled to any relief as the termination of their services was not in violation of Section 25F of the Act.

In ID No. 582/2005 it has been held that the workman Salig Ram was entitled to the protection of Section 25F of the Act. Admittedly, his services were terminated without compliance of the said provisions which was illegal and unjustified. Question is to what relief he is entitled? The respondent has not alleged that the workman had been

engaged by an authority not competent to appoint him. However, there is nothing on record to show that the workman had been engaged through a regular process and against a sanctioned post, his name has been sponsored by the Employment Exchange and he had been issued an appointment letter. I am, therefore, of the view that he cannot claim his reinstatement as a matter of right particularly when the work has been assigned to contractor now. I however, find him entitled to just and proper compensation. As per Annexure R-2 of the written statement in ID No. 582/2005, the workman Salig Ram has been in service since 1980 to 1997 except in the years 1985, 1986, 1988, 1990 and 1993. Considering his length of service I am of the view that a compensation of Rs. 80,000 will be just and proper for him. The management is directed to pay the aforesaid compensation to workman Salig Ram within a month from receiving the copy of the award. Reference in 583/2005 and 584/2005 is answered against the respective workmen Balak Ram and Narotam Ram. The reference in ID No. 582/2005 is answered in favour of workman Salig Ram accordingly. Copy of award be placed on the record of ID Nos. 582/2005, 583/2005 and 584/2005 each.

Let two copies of award after due compliance be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 8 फरवरी, 2011

क्र. आ. 687.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मध्य रेलवे के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 19/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 07-02-2011 को प्राप्त हुआ था।

[सं. एल.-41012/193/2001-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 8th February, 2011

S.O. 687.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 19/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Railway and their workmen, which was received by the Central Government on 07-2-2011.

[No. L-41012/193/2001-IR(B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SHRI J.P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/19/2002

Dated 02-02-2011

Petitioner/
Party No. 2 : Sh. Vijay Shraavan Jagtap,
Church Hill Road, Dak Bunglow
No. 244, Out House, Igatpuri,
Dist. Nasik (M.S.)

Versus

Respondent/
Party No. 1 : The Divisional Manager,
Central Railway, Bhusawal,
Dist. Jalgaon (M.S.)

AWARD

(Dated : 2nd February, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Central Railway, Bhusawal and their workman, Shri Vijay Shraavan Jagtap for adjudication, as per letter No. L-41012/193/2001-IR(B-I) dated 29-03-2002, with the following schedule :

"Whether the action of the management of Divisional Railway Manager, Central Railway, Bhusawal in removing from the services of Shri Vijay Shraavan Jagtap, Hospital Attendant, Igatpuri, w.e.f. 30-09-1977 after imposing penalty is justified? If not, what relief the said workman is entitled?"

2. After receipt of the reference, the parties were noticed to file their respective statement of claim and written statement. In response to such notice, the workman, Shri Vijay Shraavan Jagtap ("the workman" in short) filed his statement of claim and the management of Central Railway ("the party No. 1" in short) filed its written statement.

The case of the workman as projected in his statement of claim is that in the year 1976, the Party No. 1 issued a charge sheet against him leveling false allegations of misbehavior with a staff nurse and conducted the departmental enquiry inconsistent to the provisions of the railway servants (D&A) Rules, 68 and due to the result of the faulty enquiry conducted with pre-determined mind to punish him, he was dismissed from service and the format of the charge sheet was wrong and the said charge sheet did not contain, which of the conduct rules were violated by him and the list of relied upon documents and list of witnesses were supplied to him in haphazard manner and not in a proper format and one and the same person was the charge sheet issuing authority, Inquiry Officer and the

Disciplinary Authority and the Inquiry Officer submitted two reports, i.e. one on 7-6-1976 and the other on 21-8-1977 and on his objection, he was taken back on duty and the reports submitted by the Inquiry Officer dated 7-6-1976 was set aside, but, he was removed from service on the basis of the first report of the Inquiry Officer, which was set aside and there were serious lacunae and latches in the two reports of the Inquiry Officer and there were also contradiction in the evidence of the witnesses examined on behalf of the Party No. 1 and the report submitted by the Inquiry Officer was without any basis and not based on the evidence on record and the appeals preferred by him were dismissed without assigning any reason for the same and he made mercy petition to the higher authorities of the Party No. 1 and to the Hon'ble Railway Minister, but without any result, so he sent notice through his advocate and lastly filed original application before the Central Administrative Tribunal, Mumbai Bench, Mumbai bearing No. 165/95, praying for reinstatement in service w.e.f. 20-12-1988 and the findings of the Inquiry Officer are perverse and the punishment imposed is disproportionate to the charges levelled against him. The workman has prayed for his reinstatement in service with continuity and payment of back wages.

3. The Party No. 1 in its written statement pleaded inter-alia that the workman was initially appointed in its office as a Hospital Attendant in 1969 and he was made permanent in the said post on 25-12-72 and on 5-5-76, the workman committed serious misconduct by entering into the duty room of the nurses unauthorizedly, mishandled and assaulted the nurse, namely, Ms. V.S. Mhaiske, also abused her in abusive language, threatened her and disturbed the indoor patients by creating commotion and noise and for the said act of misconduct, a proper departmental enquiry was conducted against the workman and the punishment of removal from service was imposed upon him on 26-9-77 and thereafter, the workman filed an appeal to the prescribed Appellate Authority on 12-11-1977 and his appeal was dismissed by order dated 15-11-1977 by the Appellate Authority and prior to submission of charge sheet also, there were complaints against the workman and on 14-4-1975, the staff nurse Mrs. A.D. Jadhav had submitted a report against the workman stating that the work of the workman was very unsatisfactory and he used to remain unauthorized absent and as such, the workman was warned and on 10-11-1975, nursing sister Miss Balani had made complaint to the Divisional Medical Officer that on that day at 1.30 PM, the workman threatened her of dire consequences in case of her talking with staff nurse Miss. Mhaiske and an enquiry had been conducted and the workman was found guilty of misbehaving with nursing sister Miss Balani and on 3-2-1976, the sister on duty, Mrs. V.R. Vohol had also submitted a report that the workman while on duty found absent from 7.30 PM till 9.00 PM and thereafter he came in a drunken state and started

abusing and shouting at persons in the department and the patients and all of a sudden entered into the nurse duty room with a thick rod and broke the telephone receiver and three glass windows pane without any reasons and the sister on duty was frightened and ran away from the office and the workman was placed under suspension from 6-2-76 to 10-4-76 and on 19-12-75, a complaint had been filed by Mrs. Merri D'Souza, a female hospital attendant stating that on 12-11-75, at 9.30 PM the workman abused and threatened her without any reason and in the departmental enquiry, the principles of natural justice were adhered to and the findings of the Inquiry Officer are based on the evidence on record and the punishment imposed against the workman is justified, in view of the serious misconducts proved against him and the workman is not entitled for any relief. It is also pleaded by the Party No. 1 that the workman had also preferred the second appeal on 22-1-1978 and the second Appellate Authority also upheld the punishment imposed by the Disciplinary Authority and thereafter the workman filed original application No. 165/95 before the Hon'ble Central Administrative Tribunal, Mumbai challenging the impugned order and subsequently he withdrew the application and as such, the present reference is barred under the principles of res judicata and as such, the reference is liable to be dismissed.

4. As this is a case of removal from service of the workman, after holding a departmental enquiry, the validity of the departmental enquiry was taken for determination as a preliminary issue and as per orders dated 24-3-2009, the departmental enquiry was held to be legal, proper and following the principles of natural justice.

5. The points remain for consideration are regarding the perversity of the findings and the quantum of punishment.

In the written notes of argument, it has been submitted by the learned advocate for the workman that the charge sheet dated 12-5-1976 does not contain anything about the violation of any rules, under which the charge memorandum has been issued and as such, it is not understood as to whether major penalty charges or minor penalty charges were levelled against the workman and the charge sheet issuing authority, Enquiry Authority and Disciplinary Authority were the same and one man and the Inquiry Officer submitted his report on 7-6-1977 and again on 21-8-1977 and the second report was submitted as per the order of the Appellate Authority vide letter dated 15-4-1977, but the Appellate Authority did not mention the reason for reordering the enquiry and as such, the order was not legal and the same cannot be sustained. In support of such submission, reliance has been placed by the learned advocate for the workman on the

decision reported in *Alok De Roy Vs. Union of India and Others*, 2010 I CLR 228 (Calcutta High Court). It has also been submitted by the learned advocate for the workman that though according to the allegation, the workman misbehaved with Ms V.S. Mhaiske in presence of the DMO, the DMO was not examined in the enquiry and the evidence was not sufficient to hold the workman guilty of the charges and the findings are perverse and the punishment of dismissal from service is disproportionate to the charges levelled against the workman and as such, the same is liable to set aside. In support of such contention, reliance has been placed on the decision reported in *State of UP and Others Vs. Ram Daras Yadav*, 2010 (4) Mh. L.J. 58.

6. On the other hand, it was submitted by the learned advocate for the management that in the departmental enquiry, though the workman was intimated about the date of the enquiry and was given all reasonable opportunity to be presented in the enquiry, he remained absent and as such, the enquiry was proceeded as per rules and the Disciplinary Authority after considering the enquiry proceedings found the charges leveled against the workman to have been proved and imposed the penalty of removal from service w.e.f. 8-7-1976 and being aggrieved, the workman preferred an appeal to the Appellate Authority on 4-8-1976 and Appellate Authority upheld the punishment imposed against the workman by a reasoned order dated 11-8-1976 and the workman preferred the second appeal on 19-8-1976 to the prescribed Appellate Authority and the Appellate Authority remanded the matter to the Inquiry Officer to conduct a *de novo* enquiry to give the workman to be present at the time of the enquiry, by order dated 15-4-1977 and in view of such remand the enquiry was conducted afresh and the workman was present during the enquiry and he was also given all reasonable opportunity to defend himself and after considering the oral and documentary evidence on record, the Disciplinary Authority found the charges levelled against the workman to have been proved, imposed the punishment of removal from service on 26-9-1977 and as such there is no question of imposing the sentence basing on the first report submitted on 7-6-1976 and the findings of the Inquiry Officer are not preserved and the same are based on the evidence on record and the punishment imposed against the workman is also not shockingly disproportionate and as such, no interference can be made with the punishment.

7. Perused the record including the documents filed by the parties and found that the second Appellate Authority to give a fair chance to the workman to take part in the departmental enquiry, set aside the first order of punishment imposed against him and remanded the case for fresh enquiry and accordingly, the enquiry was held afresh giving all opportunity to the workman to take part in

the enquiry and to defend himself in the enquiry. Therefore, with respect, I am of the view that the decision reported in 2010 I CLR 228 (supra) has no application in this case, as in the case referred in the decision, the first charge sheet was dropped and the second charge sheet was issued without disclosing sufficient reason for issuance of the second charge sheet, so, the Hon'ble Court held that submission of the second charge sheet without assigning any reason is bad, in view of rule 9(a)(i) of RS (D&A) Rules, 1968. However, in this case, no second charge sheet was submitted after dropping of the first charge sheet, but, the enquiry was conducted afresh on the same charge sheet to give a scope to the workman to take part in the enquiry. Hence, I find no force in the contention raised by the learned advocate for the workman.

8. On perusal of the evidence on record, it is found that the findings of the Inquiry Officer are not perverse. Reasons have been assigned in support of the findings and the findings are based on evidence on record. It is well settled that in a departmental proceeding, it is not necessary to prove the charges beyond all reasonable doubts like in a criminal case, but the charges are to be proved by preponderance of probability. It is also well settled that unless the punishment imposed against the workman is shockingly disproportionate to the charges levelled against him, the Tribunal is not authorized to interfere with the same. In this case, taking into consideration, the serious misconduct proved against the workman and his previous conducts, I find that the sentence of removal from service imposed against the workman is not shockingly disproportionate and as such, there is no scope to interfere with the said punishment. As the facts and circumstances of the present case at hand are quite different from the facts and circumstance of the case referred in the decision reported in the decision, 2010 (4) Mh. L.J. 58 (supra), with respect, I am of the view that the principles enunciated in the said decision by the Hon'ble Apex Court are not applicable to this case.

In view of the evidence on record and the discussion made above, it is found that the action of the Party No. 1 in removing the workman from service is justified. Hence, it is ordered :

ORDER

The action of the management of Divisional Railway Manager, Central Railway, Bhusawal in removing from the services to Shri Vijay Shravan Jagtap, Hospital Attendant, Igatpuri, w.e.f. 30-09-1977 after imposing penalty is justified. The workman is not entitled for any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 688.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट

बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 18/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 07-02-2011 को प्राप्त हुआ था।

[सं. एल.-12012/186/96-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 688.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 18/98) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 07-2-2011.

[No. L-12012/186/96-IR(B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, JABALPUR

No. CGIT/LC/R/18/98

PRESENT :

Shri Mohd. Shakir Hasan, Presiding Officer

Shri Shrinivas Tiwari,
S/o Ram Aashray Tiwari,
R/o Hal Mukam Post Hardwahi,
Distt, Panna

... Workman

Versus

The Asstt. General Manager,
State Bank of India,
Region-III, Regional Office,
Civic Centre, Marhatal,
Jabalpur

... Management

AWARD

Passed on this 21st day of January, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/186/96-IR (B-1) dated 27/2-1-98 has referred the following dispute for adjudication by this tribunal :

"Whether the action of the management of State Bank of India, Jabalpur in not regularizing the services of Shrinivas Tiwari and not giving the benefits applicable to regular employees is legal and justified? If not to what relief the workman is entitled?"

2. The case of the Union/Workman in short is that the workman was appointed on 30-3-92 on daily wages in Hardwahi Branch of State Bank of India and was continuously working as messenger for more than 8 years. He applied many times for his regularization on the post of waterman/messenger but the management did not take any decision. The workman claims that the management be directed to regularize his service w.e.f. 30-3-92 with all benefits.

3. The management appeared and contested the reference by filing Written Statement. The case of the management Bank in short is that the workman was engaged on casual basis only for 74 days and he said engagement did not create any statutory right for appointment in the Bank. The further case of the management is that there is a welfare committee and the Branch Manager is the President. The Bank provides subsidy to the committee for running the canteen and catering services for the staff members working at the Branch. The said committee recruits Canteen Boy. The Bank has nothing to do with the said recruitment. The alleged workman was engaged as a Canteen Boy from 1-10-1992 to 30-4-1995 and again from July 1995 to April 1996. The work done by the Canteen Boy in the canteen run by the Local Implementation Committee cannot be said to be the employee of the Bank. On these grounds, it is submitted that the alleged workman is not entitled to any relief.

4. On the basis of the pleadings of both the parties, the following are issues reframed :

- (i) Whether there was relationship of employer and employee between the management Bank and the workman?
- (ii) Whether the workman is entitled to be regularized in the service of the Bank?
- (iii) To what relief, the workman is entitled?

5. The Union/Workman became absent and therefore the reference proceeded ex parte against the Union/Workman on 16-10-2009.

6. Issue No. I

The management has examined one witness to establish the case. The management witness Shri Sushil Kumar is Branch Manager of Hardwahi Branch of SBI. He has stated that the alleged workman was engaged as a Canteen Boy by the Local Implementation Committee for the Canteen. The Bank has nothing to do with the said recruitment. The Bank has no right to control and supervise the canteen boy employed by the committee and the canteen boy cannot be said to be the employee of Bank. His evidence is un rebutted. There is no reason to disbelieve his evidence.

7. The Learned counsel for the management has relied a decision reported in (2000) 5 S.C.C. 531, State Bank of India and others versus State Bank of India Canteen Employee's Union (Bengal Circle) and others wherein the Hon'ble Supreme Court held that :

"We, therefore, hold that employees of the canteens which are run at various branches by the Local Implementation Committee as per the welfare scheme framed by SBI would not become employees of the Bank as the Bank is not having any statutory or contractual obligation or obligation arising under the award to run such canteens. Hence, it is not necessary to decide the second question that fresh petition for the same cause was not maintainable in view of the order dated 14-10-1985 passed by this Court in Civil Appeal No. 840 of 1977."

Thus it is clear that there is no relationship of employer and employee between the management and the workman. This issue is decided in favour of the management.

8. Issue Nos. II & III

On the basis of the discussion made above, it is clear that the workman is not the employee of the Bank and therefore he is not entitled to be regularized in the service of the Bank. He is also not entitled to any relief. Accordingly the reference is answered.

9. In the result, the award is passed without any costs.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Office

नई दिल्ली, 9 फरवरी, 2011

का. आ. 689 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 19/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल.-22013/1/2011-आई आर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 689 — In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 19/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of FCI and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-22013/1/2011-IR(C-II)]

D.S.S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 29th day of December, 2010

Industrial Dispute L.C. No. 19/2005

Between :

Sri Shaik Mahaboob Ali,
S/o Ameer Ali,
C/o Saheb Ali, Beside Court,
Building, Vidyanagar,
Miryalaguda, Nalgonda District

.... Petitioner

AND

1. The Senior Regional Manager,
Food Corporation of India,
Haca Bhawan, Hydreabad

2. The District Manager,
Food Corporation of India,
Nalgonda, Nalgonda District

.... Respondents

APPEARANCES :

For the Petitioner : M/s. Jalli Kanakaiah and
Jalli Narendar, Advocates

For the Respondent : M/s. B.G. Ravindra Reddy and
B.V. Chandra Sekhar, Advocates

AWARD

Sri Shaik Mahaboob Ali has filed this petition under Sec. 2A(2) of the I.D. Act, 1947.

2. It has been alleged by the Petitioner that during the year 1975-76 due to heavy procurement and bumper paddy crop. The Food Corporation of India was entrusted and entered into procurement of the paddy on war footing in 1977 and opened number of procurement centres in the entire state of Andhra Pradesh including Nalgonda District. The Food Corporation of India opened centres at Bhongir, Aleru, Chittial, Suruapet, Huzurnagar, Miryalguda, Nidamanuru etc. obtained godowns and opened storage units and also employed local persons to discharge the duty of a storage and procurement of the paddy. The

Petitioner was also appointed as casual labour along with many other persons in the year 1976 on daily wage of Rs. 6/- per day and he continued to work upto 1981. Thereafter his services were terminated without following the due process of law. It is stated that some of the workers approached this tribunal by raising I.D. No. 33/1982 and another I.D. which were disposed off and the tribunal was pleased to direct the Respondent to consider the case of the workman of those IDs for re-appointment under Sec. 25H of the Industrial Disputes Act, 1947. The Respondent preferred W.P. Nos. 1618 and 11320 of 1985 which was disposed of after hearing both sides and the Hon'ble High Court also directed Respondent to consider re-appointment of the Petitioners of that cases. It has been further contended that Petitioner of this case could not file any ID due to financial constraints and he was under the impression that the benefit given to the Petitioners of those IDs would also be extended to the Petitioner of the present case. Under same misunderstanding the Petitioner filed W.P. No. 21564/2001 which was disposed of on 2-5-2001. After receiving the order, the Respondent management did not acted upon the direction of the Hon'ble High Court, as such, contempt case was filed which was dismissed hence, the present petition.

3. It has been contended by the Petitioner that he worked along with other co-workers under the direct control of Food Corporation of India. Petitioner was sponsored through District Employment Exchange, Nalgonda. No notice was given to the Petitioner under Sec. 9A of the Industrial Disputes Act, 1947 before termination, as such, the termination order was violative of the provisions of Industrial Disputes Act, 1947, it is discriminatory, illegal and unjust and deserves to be quashed and the Petitioner deserves to be reinstated or re-employed in the service.

4. Counter statement has been filed by the Respondent management stating therein that Petitioner of this case had never worked as casual labour at any point of time in Food Corporation of India. The casual labours who worked in Food Corporation of India had raised an industrial dispute through ID No. 33/1982 and by virtue of the award passed therein they were considered for the appointment in the corporation. The Petitioner has not worked in the corporation and there is no relation of employee and employer between the Petitioner and the Respondent. The Petitioner alongwith 12 other persons filed W.P. No. 21564/2000 before Hon'ble High Court of A.P., and Hon'ble High Court has directed the Petitioner to make fresh representation giving all the particulars. He filed contempt Case No. 90/2002 which was dismissed. Though the Petitioner has stated in the present ID that he had not filed any ID prior to this petition and he was not a party in ID No. 33/1982, one Mr. Shaik Mahaboob Ali S/o Hussain Saheb filed LCID No. 65/2003 and another ID No. 165/2003 was filed by Mr. Shaik Mahaboob Ali and present ID is also filed by Mr. Shaik Mahaboob Ali, every time he has

given different particulars. One Sri Shaik Mahaboob Ali S/o Imam Saheb who had worked as casual labour and who is one of the Petitioner of ID No. 33/1982, he was given appointment as watchman. The Petitioner is taking advantage of identity of names with sole intention of gaining employment in the corporation. The Petitioner has filed this petition after 20 years of the alleged disengagement from the service and it is liable to be dismissed on this ground alone.

5. Parties were directed to file their respective evidence. Petitioner Sri Shaik Mahaboob Ali S/o Amir Ali has filed his affidavit in support of his claim statement and has presented himself for cross-examination and has been cross-examined at length. Apart from the oral evidence the Petitioner has filed copy of the judgment in W.P. No. 21564/2000 Ex. W1, copy of the letter addressed by Respondent to the Petitioner dated 16-3-2000 Ex. W2 and 12-6-2001 Ex. W3, memo issued by Respondent dated 14-3-2002 Ex. W4, copy of representation dated 21-4-2001 Ex. W5, copy of order in CC No.90/2002 dated 19-7-2002 Ex. W6, Copy of the memo dated 14-3-2002 Ex. W7. Respondent has filed affidavit of Sri. P. C. Krishna Naik, Area Manager MW1 and has filed the documents Ex. M1 to M10 which have been marked by the MW1 and has presented Sri P.C. Krishna Naik for cross-examination.

6. I have heard Learned Counsels for Petitioner and Respondent and I have gone through the pleadings and evidence available on the record. This Tribunal has to consider the following points in the present case :

- (I) Whether the relationship of employee and employer exists between the Petitioner workman and the Food Corporation of India management at any time before filing of this petition ?
- (II) Whether the Petitioner's services were terminated without following the procedure, due process of the law ?
- (III) Whether the Petitioner is entitled for any relief ?

7. **Point No. (I) :** It has been alleged by the Petitioner in his claim statement that he was engaged for the year 1975-76 as casual labour at Food Corporation of India, Nalgonda district alongwith other casual workers on the payment of Rs. 6/- per day as wage. In the year 1981 he was dismissed from the service without following any process and procedure. The Respondent has alleged that the Petitioner has never worked in the Food Corporation of India and no person in the name of Mr. Shaik Mahaboob Ali S/o Amir Ali has ever been employed in the Food Corporation of India in any of its godowns or : age units. It has been alleged by the Respondent that one Mr. Shaik Mahaboob Ali S/o Iman Saheb was casual labour and he was one of the claimant in ID No. 33/1982, in which the award was passed in favour of the workmen and they

were re-employed by the corporation. Taking advantage of the identity of the name the Petitioner has several times filed claim statement with different contentions. He filed Writ petition before the Hon'ble High Court bearing No. 21564/2000 wherein Hon'ble High Court directed the Petitioner to make fresh representation giving true particulars with reference to their parentage, date of employment and member of writ petition and has further directed the Respondent to consider the case of the Petitioner. It appears that no action was taken by Respondent.

8. The Petitioner of this case filed contempt Case No. 90/2002, the Hon'ble High Court has dismissed the contempt petition on the ground that in the earlier W.P. no direction was given by the Hon'ble High Court to pass the order by Respondent in a particular manner. This shows that the contention of the Respondent management that the Petitioner has worked with the management was considered by Hon'ble High Court vide order passed in the Writ Petition and on the basis of the assertion made by the Respondent before Hon'ble High Court the contempt petition was dismissed. It is the responsibility of the Petitioner workman to prove before this Tribunal that he has ever worked with the Respondent or the Petitioner of this case was appointed by the Respondent, as casual worker at the rate of Rs. 6/- per day in 1976, no document or paper has been filed by the Petitioner nor the Petitioner has been able to produce a single working employee of the Food Corporation of India in support of his claim that the Petitioner Mr. Shaik Mahaboob Ali S/o Amir Ali has ever worked alongwith the working employees of the corporation in Food Corporation of India. No doubt, the Petitioner workman has filed Ex. W1 to W7, to prove that Petitioner was asked to submit original certificate in light of the direction passed in W.P. No. 21564/2000, by Ex. W3 he was informed by the management that appointment has already been given to Mr. Shaik Mahaboob Ali vide proceeding No. Est/1/2/97 dated 30-12-1997 in terms of the judgement passed in W.P. No. 17766/97 and a fresh appointment does not arise.

9. It has further been informed that if the Petitioner feel that he is right person and the person working with the management is an impersonate person, then the Petitioner was advised to prove his identity through a competent court of law. The Petitioner was not able to produce a single piece of paper to show that he has ever worked in the Food Corporation of India. If the Petitioner has worked in the year 1976—1981 what was the reason not to join the Petitioners of ID No. 33/1982. In case Petitioner was actually retrenched from the service of Food Corporation of India management he would have surely joined with the Petitioners in ID No. 33/1982. His contention that he could not join Petitioners of ID 33/1982 due to financial constraints is nothing but an eye wash. The Petitioner filed W.P. No. 21564/2000 he would have proved before the

Respondent management that he is the right person who has worked with the management and who was entitled for re-employment. The management has specifically informed the Petitioner to prove his identity and challenged the identity of Shaik Mahaboob Ali S/o Imam Saheb but the Petitioner has not taken any step to challenge the identity of Shaik Mahaboob Ali S/o Imam Saheb. There is no other evidence on the record in the form of documentary or in the form of oral evidence to prove that the Petitioner has ever worked as casual labour in the management corporation. The management has produced Sri P. C. Krishna Naik and he has been cross-examined at length by the Petitioner workman's counsel but nothing has come out from the oral testimony of the MW1 that present Petitioner has ever worked in the organization in the Food Corporation of India management. The Petitioner himself has admitted in his cross-examination that Shaik Mahaboob Ali S/o Imam Saheb was given appointment as per I.D. No. 33/1982 this itself is sufficient to prove that the Petitioner of this case does not challenging the identity of Shaik Mahaboob Ali S/o Imam Saheb or he does not claim that Shaik Mahaboob Ali S/o Imam Saheb has impersonated the present Petitioner.

10. The Petitioner has stated in the claim statement that he filed W.P. No. 21564/2000 and also filed contempt petition No. 90/2002 but when he was cross-examined and questioned on this point he denied of filing the writ petition or contempt petition. This proves that the Petitioner is not a trust worthy witness and no credence can be given to the testimony of this witness. The management has filed 10 documents Ex. M1 to M10 which prove that Petitioner has already raised the same dispute before Hon'ble High Court and he was not able to prove his identity or his relationship of master and servant or employer and employee before this court also. The Petitioner has not been able to produce any piece of paper or witness to prove that he has worked in the organization of Food Corporation of India management. Hence, this tribunal is of the opinion that there was no employee and employer relationship between the Petitioner and the management of Food Corporation of India. Point No. (I) is decided accordingly.

11. Point No. (II) : From the discussion of point No. (I) this tribunal is of the conclusion that the Petitioner was never appointed and never worked with the management of Food Corporation of India, hence, he was neither terminated nor retrenched nor disengaged from the service, as such, the question of determination of its legality or otherwise does not arise. Point No. (II) is decided accordingly.

12. Point No. (III) : From the above conclusion and discussion this tribunal is of the opinion that the Petitioner has not been able to establish the relationship of employee and employer nor he has been able to prove that he has ever worked in the Food Corporation of India as casual

labour hence, there is no question of his re-employment or reinstatement. He is not entitled for any relief. Point No. (III) is decided accordingly.

13. From the above discussion, this tribunal has come to the conclusion that the Petitioner is not entitled for any relief. Petition deserves to be dismissed, it is dismissed, hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 29th day of December, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for : Witnesses examined for the
the Petitioner Respondent

WW1 : Sri Sk. Mahaboob : MW1 : Sri P. C. Krishna Naik
Ali

Documents marked for the Petitioner

- Ex. W1: Copy of order of Hon'ble High Court in W.P. No. 21564/2000.
- Ex. W2: Copy of Ir. No. IR 32(2)/2000 dt. 16-3-2001 by Respondent to WW1.
- Ex. W3: Copy of Ir. No. IR 32(2)/2000 dt. 12-3-2001 by Respondent to WW1.
- Ex. W4: Copy of memo No. IR 32(2)/2000 dt. 14-3-2002 by Respondent to WW1.
- Ex. W5: Copy of representation to Respondent dt. 21-4-2001.
- Ex. W6: Copy of order of Hon'ble High Court in contempt Case No. 90/2002.
- Ex. W7: Copy of memo No. IR 32(2)/2000 dt. 14-3-2002 by Respondent to WW1.

Documents marked for the Respondent

- Ex. M1: Copy of order of Hon'ble High Court in WP No. 1776/97 dt. 22-9-97.
- Ex. M2: Copy of order No. Estt. 1/2/97, dt. 30-12-97 offer of appointment to Sk. Mahaboob Ali S/o Late Sk. Imam Saheb.
- Ex. M3: Copy of memo No. IR 32(2)/2000 dt. 15-3-2002 by Respondent to concerned Petitioners.
- Ex. M4: Copy of counter affidavit filed by Respondent against ID No. 65/2003.
- Ex. M5: Copy of counter affidavit filed by Respondent against ID No. 165/2003.

- Ex. M6: Copy of order of Hon'ble High Court in W.P. No. 21564/2000.
- Ex. M7: Copy of counter affidavit filed by Respondent in W. P. No. 21564/2000.
- Ex. M8: Copy of counter affidavit filed by Respondent in contempt Case No. 90/2002.
- Ex. M9: Copy of order of Hon'ble High Court in contempt Case No. 90/2002 dt. 22-2-2002.
- Ex. M10: Copy of order of Hon'ble High Court in contempt Case No. 90/2002 dt. 19-7-2002.

नई दिल्ली, 9 फरवरी, 2011

का. आ. 690.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं सी. पी. डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 1042/2K5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल.-42012/295/2003-आई आर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 690.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1042/2K5) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Public Works Department, and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-42012/295/2003-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. II, CHANDIGARH

PRESENT: Sri A. K. Rastogi, Presiding Officer

Case No. I.D. 1042/2K5

Registered on 19-9-2005

All India CPWD (MRM) Karamchari Sanghathan,
CPWD Store Building, Sector 7-B,
Chandigarh

... Applicant

Versus

The Executive Engineer, Chandigarh Central Divn. II, CPWD, Chandigarh, Kendriya Sadan, 2nd Floor, Sector 9-A, Chandigarh [Vide Corrigendum No. L-42012/295/2003-IR (CM-II) dated 16-9-2003]

... Respondent

APPEARANCES

For the workman : Sh. S. D. Sharma, Advocate

For the Management : Sh. Sanjeev Sharma, Advocate

AWARD

Passed on 1st February, 2011

Central Government vide Notification No. L-42012/295/2003-IR (CM-II) dated 23-8-2004 by exercising its power under Section 10, Sub-section (1)(d) and Sub-section (2A) of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), has referred the following industrial dispute for adjudication to this Tribunal :

“Whether the action of the management of CPWD, Chandigarh in terminating the services of Sh. Shakti Chand S/o Sh. Ridku Ram, Cook-cum-Caretaker w.e.f. 1-8-2003 is legal and justified? If not, to what relief the workman is entitled?”

Although in the reference order only All India CPWD (MRM) Karamchari Sanghathan Registered (hereinafter called as Karamchari Sanghathan) is a claimant but in the claim statement the concerned workman Shakti Chand S/o Sh. Ridku Ram has also joined as a claimant. For the purpose of the dispute under reference only this much of the case of the claimants is relevant that Claimant-1 Karamchari Sanghathan is a Registered Union whereof concerned workman Claimant-2 is a member. The concerned workman was employed on the basis of work order issued from time to time by the management as Cook-cum-Caretaker at Inspection Bungalow, Chandigarh w.e.f. 1-9-1992 for attending the work of perennial nature and he continued as such till 8-1-2003 when his services were terminated in violation of the provisions of the Act, while he had completed more than 240 days in a year and had worked for about 11 years. He discharged his duties under the control and direction of the authority of the management and his employment was not concurrent or simultaneous with the award of any particular contract. While terminating the services of the Claimant-2, persons junior to him were retained.

The claimants have mentioned the judgment of the Hon'ble Central Administrative Tribunal, Delhi in O.A. No. 845/2000 and have claimed regularization of concerned workman on the sanctioned vacant post of Cook-cum-Caretaker and have also demanded equal pay for equal work.

The claim was contested by the management. In the written statement two preliminary objections have been taken; firstly, that the Claimant-2 being a contractor is not a workman under the Act and has no locus standi to file the claim petition. There is no relationship of master and servant. And, secondly the Claimant No. 1 Karamchari Sanghathan is not a recognized body and Claimant No. 2 being a contractor cannot be a member of Claimant No. 1. Claimant No. 1 is not competent to file the claim petition.

It was further stated in the written statement that there is no post of Cook-cum-Caretaker and the job of Cook is not of a perennial nature and Claimant-2 was not appointed as Cook-cum-Caretaker. He was a contractor. His services were not terminated. Rather on completion of work order, the work was not extend further and there was no violation of the provision of the Act. It was denied that he worked under the direct supervision and control of the management. Regarding the cessation of the employment of Claimant-2 it was stated that the tender had been refloated but the rates quoted by Claimant-2 were not the lowest. Hence, the work was assigned to another person, whose rates were lowest. According to the management, the claimants are not entitled to any relief.

In a rejoinder the workman has pleaded that if the veil is pierced, then it would be established beyond any iota of doubt that there existed a relationship of employer and employee and the contract was sham and a camouflage.

From the pleadings of the parties for the purpose of the present reference, following issues arise for consideration :

1. Whether the Karamchari Sanghathan not being a recognized body is not competent to raise the dispute. If yes, its effect?
2. Whether Claimant-2 Shakti Chand is a workman and there is a relationship of master and servant between the management and the workman as alleged by the claimants?
3. Whether Claimant-2 Shakti Chand was a contractor as alleged by the management? If yes, its effect?
4. Whether the services of Claimant No. 2 Shakti Chand were terminated by the management in violation of Section 25F of the Act?
5. Whether juniors were retained by the management while terminating the services of the Claimant No. 2?
6. To what relief the Claimant No. 2 is entitled?

It is worth mentioning that claimant's demand of equal pay for equal work is beyond the scope of reference.

In support of his claim the concerned claimant Shakti Chand has filed his own affidavit and the affidavit of Raj Kumar, Chowkidar, Central Sub Division-IV, Sector 7-B, Chandigarh, while on behalf of management, affidavit of Executive Engineer D. K. Gupta was filed. Both the parties have relied on certain papers, which will be discussed as and when necessary.

Parties have filed the written arguments in the case, which were perused by me along with materials on record. My findings on various issues are as follows :

Issue No. 1

As it has been stated above the Zonal Secretary of the Karamchari Sanghathan is a party in the order of the Central Government and claim statement has been filed by the Karamchari Sanghathan and concerned workman. Management has taken a plea that Karamchari Sanghathan may be a Registered Trade Union but is not a body recognized by the Government, hence, it could not raise the dispute and the reference should be declined on this ground alone. I find the arguments of the management not acceptable for the following reasons :

1. Management has not cited or referred any provisions or rule under which only a Trade Union recognized by the Government is entitled to raise a dispute.
2. The Central Government itself has referred the dispute for adjudication to this Tribunal mentioning the Karamchari Sanghathan as a party.
3. As per definition clause Section 2(qq) of Act 'Trade Union' means a Trade Union registered under the Trade Unions Act and under Section 36, Sub-section (1) Clause (a) of the Act a workman may be represented by any member of the Executive or other office bearer of a Registered Trade Union of which he is a member. There is no requirement that the Trade Union must be recognized by the Government to represent a workman.

I see no reason to disbelieve the statement made in the claim petition and in the affidavit of claimant Shakti Chand that he is a member of Claimant-1.

I, therefore, hold that Karamchari Sanghathan is competent to raise the dispute. Reference cannot be declined on the ground that the Karamchari Sanghathan not being a recognized Body is not competent to raise the dispute. Issue No. 2 is decided against the management.

Issue Nos. 2 and 3

Both the issues being inter-connected are being taken together. The claimant's case is that Claimant No. 2, Shakti Chand was a workman employed by the management on a

work order. He had worked from 1-9-1992 till his services were terminated on 8-1-2003. His work was of perennial nature and he worked under the control and direction of the authority of the management. His employment was not concurrent and simultaneous with the award of any particular contract.

Management also says that Claimant No. 2 had worked on work order. It however, denied the status of workman to Claimant No. 2. According to it, Claimant No. 2 was a contractor. His services were not terminated. Rather on completion of work order, the work was not extended further and there was no violation of the provisions of the Act. Claimant No. 2 never worked under the direct supervision and control of the management. There is no post of Cook-cum-Caretaker and the job of a cook is not of a perennial nature and Claimant No. 2 was never appointed as Cook-cum-Caretaker.

It is thus admitted to both the parties that Claimant No. 2 throughout his tenure of about 11 years worked on work order. The argument of the Learned Counsel for the workman is that Claimant No. 2 is a workman. In support of his arguments the Learned Counsel placed reliance on the order of Hon'ble Central Administrative Tribunal in MA No. 1082 of 2000 in OA No. 845 of 2000 titled as All India CPWD (MRM) Karamchari Sanghathan and others Versus Union of India and Another, a copy whereof is paper No. 29 on record. Claimant No. 2 was an applicant in this case and his name figures at Sl. No. 13. The Hon'ble Tribunal has mentioned in this order "As regards the fact that these applicants are working on Muster Roll for a long time, the same is not disputed." The learned counsel for workman argues that the Hon'ble Tribunal recognized the status of the Claimant No. 2 as a Muster Roll Employee. He further invited my attention to letters MW-1/7 to MW-1/9 and MW-12 filed by management. All these letters are a fall out of the order of the Hon'ble Tribunal. They show the follow up action taken by the management in the case. Nowhere in these letters it has been stated that the concerned claimant was a contractor and not a workman.

The Learned Counsel for the workman also argued that the claimant had moved an application for summoning the Attendance Register, Takeover and Handover Register of Inspection Bungalow CPWD, Sector 7, Chandigarh. Photo copies whereof had been filed by the claimant but the management did not produce the record, which shows the mala fide intention of the management and presumption should be drawn against the management.

The argument of the management on the other hand is that workman was working as a contractor on the basis of work order placed on him from time to time on the basis of rates approved. He was neither engaged as a casual labour nor on scroll and nor as a daily wager. Regarding the order of the Hon'ble Central Administrative Tribunal it was argued that it was obtained by the claimant by

misrepresentation. There was no relationship of employer and employee between the management and the Claimant No. 2 and the latter was neither engaged as an employee nor he was paid wages.

So far as this argument of the management is concerned that the order of the Hon'ble Central Administrative Tribunal is based on misrepresentation by the claimant, it is simply not acceptable. If it was passed on misrepresentation, why the management did not seek the proper remedy and why it proceeded to take up the follow up action in the matter? There is no escape from the order of the Hon'ble Central Administrative Tribunal.

It is interesting to note that the management has filed the work orders dated 10-8-92 and 30-6-2000 of concerned claimant Shakti Chand as Ex. MW-6 but has not filed the last work order relating to him. In the order dated 10-8-92 the description of work has been given as "Care taker-cum-Cook for the guest house in Sector 7-B, Chandigarh, Central Division No. II, CPWD, Chandigarh for six months from 10-8-92 to (illegible)." In the work order dated 30-6-2000 the description of work is mentioned as "to run and maintenance of CPWD Inspection Bungalow, In-charge cooking, serving and attending the guest as and when required keeping proper watch and ward." It was for a period from 1-7-2000 to 30-9-2000. From these work orders it is clear that the claimant has been employed as a worker and not as a contractor as defined in Contract Labour (Regulation and Abolition) Act, 1970. As per definition clause Section 2(1) (c) of the said Act in relation to an establishment, contractor means "a person who undertakes to produce a given result for the establishment other than a mere supply of goods or article of manufacture to such establishment through contract labour or who supplies contract labour for any work of the establishment....."

Management does not say that the contract awarded to the Claimant-2 was according to the provisions of the said Act and he is a licensed contractor under the said Act.

Further from the work orders mentioned above it is clear that Claimant-2 was not to act as an independent contractor but under the control and supervision of the management. Work order dated 10-8-92 shows that Claimant-2 was to keep the record of the Guest House in a proper register and as per directions of the Assistant Engineer, Guest House. The same condition is mentioned in the work order dated 30-6-2000 also.

It is also amply clear that the work was of continuous and perennial nature. The workman continued for about 11 years. He was to maintain the Guest House in proper and running condition, look after the guests, to keep the record of the Guest House in a proper register and to arrange the cooking material.

Thus, Claimant-2 does not appear as contractor from any angle. It is clearly established that he was a workman and there is a relationship of master and servant between the management and him. Issue No. 2 is accordingly decided in favour of the Claimant-2 and Issue No. 3 against the management.

Issue No. 4

Admittedly, the Claimant-2 worked from the date of his employment in 9/1992 till 8-1-2003 continuously. Therefore, it can be accepted without any fear of contradiction that he worked for more than 240 days in 12 calendar months preceding the date of his termination.

Admittedly also the services of the Claimant-2 were terminated without complying with the provisions of Section 25F of the Act. Neither he was paid retrenchment compensation nor he was given any notice or was paid compensation in lieu of notice. The case of the management is that on completion of work order the work was not extended further and tenders were refloated and as the rates quoted by Claimant-2 were not the lowest hence, the work was assigned to another person whose rates were lowest. Management papers MW-1/2 to MW-1/5 are the copies of the same notice inviting quotations. It appears that the device of inviting quotations was adopted for the first time. No such notice inviting quotations has been filed by the management before placing work order on Claimant-2. Claimant-2, Shakti Chand in his statement during cross-examination has specifically stated that earlier no quotations were called when the work was assigned to him.

Obviously, the device of inviting quotations was adopted by the management to make out a case of Section 2(oo) (bb) but the law in such cases is very clear. In PWD through Deputy Director, Horticulture Versus Satyapal 2007-1-LLJ 500 where the appellant had engaged respondent-workman as driver continuously for three years on work orders and terminated his services without notice without following the provisions of Section 25F of the Act. It was held by a Division Bench of the Hon'ble High Court of Delhi that "the device of issuing work orders was to satisfy the letter of law as contained in Section 2 (oo) (bb) but in fact it was nothing but an employment on continuous basis. The very purpose for which Section 2(oo) (bb) was introduced was to avoid saddling an employer with the liability under Section 25F, where a worker had been engaged for a very short period to say two or three months. It was not meant to be invoked in a situation where the worker is in continuous employment for over three years. If one were to interpret Section 2(oo) (bb) in the manner that the appellant suggests it would permit the law to be misused to avoid a statutory liability. It must be kept in mind that the I.D. Act is intended to protect a workman whose services have been continuously engaged for a

considerable period of time. It is in this background that the provisions of Section 2(o) (bb) should be interpreted."

It is clear that the work orders issued by the management were only a camouflage to avoid the liability of the management under the Industrial Disputes Act and to deprive Claimant-2 from the benefits of the Act. His services cannot be treated to have been terminated on completion of work order. The work still exists and it was assigned to another person. Obviously, the termination of the services of the Claimant-2 is in violation of the Section 25F of the Act and is void ab-initio. Issue No. 4 is accordingly decided in favour of the workman and against the management.

Issue No. 5

Workman/claimant have taken a plea that while terminating the services of Claimant-2, persons junior to him were retained but there is no evidence in this regard. The person to whom the job was assigned in place of Claimant-2 cannot be regarded as a person junior to Claimant-2. Issue No. 5 is therefore, decided against the workman and in favour of the management.

Issue No. 6

From the above going discussions it is clear that Claimant-2 was a workman and there was a relationship of employer and employee between the management/respondent and Claimant-2. His services were terminated without compliance of Section 25F of the Act. He remained for about 11 years in the employment of the management. The termination of his services is void ab-initio, for want of compliance of Section 25 of the Act. The question is to what relief Claimant-2 is entitled. He has claimed regularization on sanctioned post of Cook-cum-Caretaker and pay parity with regular employees.

As stated earlier pay parity is not a matter under reference. Regarding regularization of service there is already an order of the Hon'ble Central Administrative Tribunal in O.A. No. 845/2000. In this reference I find Claimant-2 entitled to the relief of reinstatement and full back wages. The management/respondent is directed to reinstate Claimant-2/workman on the same conditions, which were applicable at the time of the termination of his services and pay full back wages to him within 15 days of receiving the copy of the award. Reference is accordingly answered in favour of the workman and against the management. Let two copies of award be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 691.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार नेशनल डेयरी

रिसर्च इन्स्टीट्यूट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, चण्डीगढ़ के पंचाट (संदर्भ संख्या 102/2K5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-02-2011 को प्राप्त हुआ था।

[सं. एल. 42012/146/2004-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 691.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 102/2K5) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of National Dairy Research Institute, and their workman, which was received by the Central Government on 9-2-2011.

[No. L-42012/146/2004-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Case No. I.D. 102/2K5

Registered on 18-07-2005

Shri Rajesh Kumar, S/o. Shri Maman Ram, Village Khetri Naru Teh. & District Karnal. ... Applicant

Versus

The Director, National Dairy Research Institute, Karnal (Haryana) ... Respondent

APPEARANCES:

For the workman : Shri D. R. Kaith, Advocate

For the management : Shri Amit Sharma, Advocate

AWARD

Passed on 18th January, 2011

Central Government vide Notification No. L-42012/146/2004/IR (CM-II) dated 27-06-2005, by exercising its powers under Section 10 of Sub-section (1) Clause (d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the following Industrial dispute for adjudication to this Tribunal :

"Whether the action of the management of National Dairy Research Institute, Karnal in terminating the services of Shri Rajesh Kumar S/o. Shri Maman Ram, AI & Vety. First Aid w.e.f. 7-1-2003 is legal and justified ? If not, to what relief the workman is entitled ?"

The workman has raised an industrial dispute stating that he had been selected for training in Certificate in AI & Vety. First Aid under the management and after completion of the Course he was deputed for training under one Shri Ram Yatan Rai, In-charge of Artificial Insemination Center, village Ranwar. Subsequently, he was appointed on 14-7-1997 at AI Centre, Birchpur, Extension Division NDRI, Karnal. The aforesaid Ram Yatan Rai and the workman both worked there till 16-9-1997 when Ram Yatan Rai was shifted to Bhagwanur and the workman was made the In-charge of the AI Center Birchpur. Thereafter in 1998 Ram Yatan Rai was again transferred to some other place and the charge of AI Centre Bhagwanur was also handed over to the workman. The workman continuously worked from 16-09-1997 under the supervision and control of the respondent/management and of respective panchayats for whose benefit the centers are run by the management till 7-01-2003 when his services were terminated. The workman has alleged that his services were terminated without any notice and without payment of compensation in lieu of notice or retrenchment compensation and while terminating his services, the management retained the persons junior to him and after the termination of his services the management appointed one Jai Bhagwan Sharma in his place and thus there is a violation of Sections 25G and 25H of the act. The workman has prayed for his reinstatement with continuity of service and full back wages.

The claim was contested by the respondents. It was denied that the management is an industry and the Tribunal has jurisdiction in the matter. According to the management it is an Institute, conducting research activities and discharging governmental functions. On facts it was alleged that the institute organizes long and short term vocational course in agriculture and allied vocations for the farmers and rural youths with emphasis on "learning by doing" for higher production on farms and generating self employment. The workman had undertaken training under the said programme for two months but he was never deputed to work at AI Center Ranwar. He had been verbally allowed on his request to have field/practical experience at AI Center Birchpur. The charge of the said Center was never handed over to him. Ram Yatan Rai referred to in the claim is a regular employee of the institute and he was working at Birchpur Center. The Birchpur Center was never shifted to Budha Khera as alleged by the workman. It was further alleged that Jai Bhagwan was employed after adopting due procedure. The workman was never appointed/terminated by the management and no violation of provisions of Industrial Disputes Act is involved in the case.

From the pleadings of the parties following issues arises for consideration :

1. Whether the management/respondent is an industry and the Tribunal has jurisdiction to adjudicate the matter ?

2. Whether the workman was an employee of the management and his services were terminated in violation of Section 25F of the Act ? If so, its effect ?
3. Whether there is a violation of Section 25G and 25H of the Act in the matter ? If so, its effect ?
4. To what relief the workman is entitled ?

In evidence the workman has filed his affidavit and the affidavit of Smt. Rupali Devi, Sarpanch of village Birchpur. He relied on certain papers and summoned the record relating to his demand notice from the office of Assistant Labour Commissioner, which was produced by Baldev Raj, U.D.C. another workman witness. He summoned certain records from the management also.

On behalf of management the affidavit of Dr. Om Vir Singh, Technical Officer, N.D.R.I., Karnal was filed.

I have heard the learned counsel for the parties and perused the material on record. My findings on the above issues are as follows :

Issue No. 1

The management has taken a plea that the respondent institute is not an industry. It is carrying on activities of research in a systematic manner with the help of its employees/contractors but that element alone cannot make it an organization carrying on an activity which may be analogous to be carrying on trade or business because it is not producing and distributing services, which are intended and meant for satisfying human wants and needs.

The learned counsel for workman has misread the judgment of Hon'ble Punjab and Haryana High Court in Raghbir Singh Versus Presiding Officer, Labour Punjab 2004(4) RSJ 488 in placing the burden of proof on the management to establish that institute is not an industry. The Hon'ble High Court has held the opposite.

As per law laid down by the Hon'ble Supreme Court in Bangalore Water Supply and Sewerage Board versus A. Rajappa and another 1978-1-LLJ 349 a Research Institute can also be regarded as an organization propelled by systematic activities, modeled on cooperation between the employer and employee and calculated to through up discoveries and inventions and useful solutions which benefit the nation in terms of goods, services and wealth though they are run without profit motives, and is, therefore, an industry.

From the statement of MW-1, it is clear that the institute is not concerned with research only but provides the services of First Aid and Artificial Insemination also and it has been admitted in the written statement that the institute is carrying the activities in a systematic manner with the help of employees. It is therefore, held that respondent/management is an industry and the Tribunal

has jurisdiction to adjudicate the matter. Issue No. 1 is decided accordingly against the management.

Issue No. 2

The important question is whether the workman was an employee of the management and there was a contract of service between the management and the workman? It is important to note that he has specifically pleaded that he had been appointed at AI Centre Birchpur Extension Division NDRI on 14-7-1997. During cross-examination he has stated that he had been appointed as Storeman and his job was Artificial Insemination and Veterinary First Aid to animals and that he was registered in Employment Exchange and he had applied for the job of Stock Assistant to the Head of the Department and he was getting Rs. 1500 P.M. as salary. He, however, did not produce any appointment letter nor he placed on record his application for the job. There is no evidence of payment of salary. Thus, there is no document to prove the employment of the claimant with the management.

The learned counsel for the claimant has referred various documents filed by the workman as the proof of his being employee of the management. Annexure W-2 is being referred as the charge certificate by the claimant but as it was argued by the management it is simply a list of articles given in the custody of the claimant. It cannot be regarded as a proof of employment. Annexure W-3 is a copy of Attendance Register but it does not bear any stamp, seal of Officer of the management. Annexure W-4 is a copy of Artificial Insemination Register on its basis also it cannot be inferred that the claimant was an employee of the management. Annexure W-5 is a Field Experience Training Group Report in its acknowledgement the name of the claimant figures as Vet. Live Stock Development Assistant but it cannot be regarded as an acknowledgement by the management that the claimant was an employee of the management. Annexure W-6 the reply of the management before the Assistant Labour Commissioner, Annexure W-7, a copy of the working register or ICAR, Karnal, Annexure W-8, the statements regarding the work done in village Birchpur and bearing the signatures of the claimant as Stockman, Annexure W-9 a certificate of Sarpanch Gram Panchayat, who has filed her affidavit also cannot be regarded as an evidence of the employment. It is important that the management is not denying the working of the claimant with the management but according to the management the claimant was undergoing training only.

Another document relied on by the claimant is the report of investigation as per directions of the Conciliation Officer and Assistant Labour Commissioner, Faridabad. The investigator had reported that the monthly reports of the Insemination of Live Stock substantiate the claim of the claimant having worked for NDRI and the representative of the management did not contest the fact that they had not engaged the claimant as learning worker but they had

claimed that they had not paid him officially any wages. The investigator concluded that the claimant had rendered his service to NDRI, Karnal as field staff.

As it has been held above, the working of the claimant for the management is not in dispute but the dispute is about the capacity in which the claimant worked. There is no appointment letter and no evidence to show that the management was the pay master and claimant worked under the supervision and control of the management. I am of the view that the workman cannot be regarded as an employee of the management and I, therefore, hold accordingly. When the claimant was not an employee of the management, the question of terminating his services by the management does not arise and the question of violation or compliance of Section 25 of the Act becomes irrelevant. Issue No. 2 is decided accordingly, against the workman.

Issue No. 3

Because the workman was not an employee of the management and he was not a retrenchee, therefore, the question of violation of Section 25G and 25H of the Act does not arise. Issue No. 3 is accordingly decided against the workman.

Issue No. 4

From the above going discussion it is clear that the claimant was not an employee of the management and his services were not terminated by the management. He is not entitled to any relief. Reference is answered against him. Let two copies of award after due compliance be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 692.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एवं भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोचीन के बचाट (संदर्भ संख्या 13/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल.-22011/49/2008-आई आर (सीएम-11)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 692.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Cochin as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food

Corporation of India and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-22011/49/2008-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

PRESENT:

Shri D. Sreevallabhan, B.Sc., LL.B., Presiding Officer

I. D. 13/2009

Union : The State Secretary,
BKNK Sangh,
Food Corporation of India,
District Office, Kundankulathi
Towers,
M.G. Road, Cochin.

By Adv. Shri P. M. Mohammad Shiraz.

Management : The General Manager (Kerala),
Food Corporation of India,
Regional Office,
Kesavadasapuram,
Trivandrum-04

By M/s. Sukumaran & Usha.

This case coming up for hearing on 31-01-2011, this Tribunal-cum-Labour Court on 3-2-2011 passed the following.

AWARD

As part of modernization and administrative reforms computerized Bio-metric Punching System was introduced for marking attendance by the members of the staff and officers of the various offices of the Food Corporation of India in Kerala replacing the system of manual marking of attendance in the attendance register. The union, though not against the implementation of computerized Bio-metric Punching System, opened its armory to fight against it even prior to the launching of the system by resorting to large number of non compliance of the prescribed procedure and so far as its weapon and the battle still continues with this reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

2 The reference is:

"Whether the action of the management of FCI in introducing Computerized Bio-metric Punching

System instead of the present method of marking attendance results in change in service condition?

If so, to what relief is the union concerned entitled for?"

3. BKNK Sangh, claiming to be the only recognised union of the employees of the Food Corporation of India, filed claim statement by making the allegations that the service conditions of the employees of Food Corporation of India are governed by the FCI Manual and para 3.2 in Volume-I of the manual provides for marking of attendance in the attendance register in the custody of the Assistant Manager and hence it requires amendment of the provisions in the manual for the implementation of Bio-metric Punching System for marking attendance. The provision contained therein as to the hours of attendance is a condition of service in respect of a matter specified in the Fourth Schedule to the Industrial Disputes Act which makes it mandatory to give notice to the workmen or the union representing the workmen in the prescribed manner. No such notice was given to the workmen or union representing the workmen before the introduction of the new system. The nature of the work in FCI requires adjustments as to the attendance of the employees during office hours and the exercise of discretion in granting permission to come to the office late or leave the office early cannot be exercised due to the introduction of the computerized Bio-Metric Punching System. Punctuality can be ensured by the continuance of the manual system of marking attendance. Parliamentary Standing Committee of Food, Consumer Affairs and Public Distribution recommended introduction of Bio-metric Punching System for marking attendance of labourers by the management to prevent proxy attendance. But the same could not have been introduced due to their protest and thereby it was introduced for the members of the staff. The introduction of Bio-metric Punching System in lieu of the existing system is a measure to be taken at the national level in all the offices with sufficient safeguards for protecting the interests of the workmen and the management. The Computerized Bio-metric Punching System after its introduction in the head quarters of the Food Corporation of India was withdrawn due to protest from the unions and was abandoned due to lack of practicability in the Regional Office, Bangalore. Hence the union prays for a direction to the management to stop the use of the Computerized Bio-Metric Punching System to mark attendance of employees of the Food Corporation of India in Kerala region after entering into a finding that the introduction of that system instead of the earlier system of manual marking of attendance resulted in the change in

service condition of the employees of the Food Corporation of India.

4. The contentions put forward by the management in the written statement are that as per the recommendation of the Parliamentary Standing Committee initially the Bio-Metric Punching System was installed in the Depots of the Food Corporation of India and as it was found to be more effective and fruitful making it easy for calculation of salary, O.T. etc. It was introduced in the Regional Office and District Offices of Trivandrum and Kochi and later in all the District Offices and Food Storage Depots of the Food Corporation of India in Kerala. The F.C.I. Manual 1965 provides guidelines on functioning and set up of F.C.I. offices whereas the service conditions as per the requirement of I.D. Act does not speak about the mode of marking attendance. The marking of attendance and keeping record of the same is being continued in the new system and the only difference is in the marking of attendance through the computerized finger print reader instead of affixing the signature in the attendance register manually. There is absolutely no change in any service condition as to the items mentioned under item No. 9 of the Fourth Schedule which renders it necessary to issue notice as provided under Section 9-A of the Industrial Disputes Act. Several practical difficulties can be avoided and the work load can be reduced through the installation of the Bio-Metric Punching System. The union representing the workmen were called for a discussion with regard to the installation of Bio-Metric Printing Reader on 30-11-2007 and there was again a meeting on 24-01-2008 with the representatives of the unions about the practical viability of the new system. As there is no change of service condition of the employees in respect of any of the matters specified in the Fourth Schedule of the I.D. Act union is not entitled to the relief claimed in the claim statement.

5. Union filed rejoinder denying the contentions in the written statement and reaffirming the allegations made in the claim statement. It is further stated that the attendance register is the record showing the hours of attendance of an employee and the provision regarding hours of attendance is a condition of service in respect of a matter specified in Fourth Schedule of the I.D. Act. Any change in the system of manual marking of attendance will affect the hours of attendance and hence there is change of service condition making it necessary to issue notice in the prescribed manner to the workmen and the union representing the workmen. The introduction of the new system without prior discussion and without considering the unsuitability to the conditions of work in FCI

necessitated the union to oppose it even though it is not against the implementation of the computerized Bio-Metric Punching System.

6. The point for determination is :

Whether the action of the management of FCI in introducing the computerized Bio-Metric Punching System instead of the method of marking attendance manually in the attendance register results in change in service condition, and if so what relief the union is entitled for ?

7. The evidence consists of the deposition of WW1 and Exts. W1 to W7 on the side of the workmen and MW1 and Exts. M1 to M5 on the side of the management.

8. **The Point :** The introduction of the computerized Bio-Metric Punching System was done in a phased manner in the offices of the Food Corporation of India in Kerala and the same is evidenced by Exts. W2 and M3 to M5. There was vehement opposition from the union for the implementation of such a mode of marking attendance in lieu of the manual marking of attendance in the attendance register even though union has specifically averred that there is no objection for introducing such a new system and their objection is only with regard to the unsuitability of the newly introduced system considering the work of the employees in the offices of the Food Corporation of India. They have put forward the specific case that the use of the Computerized Bio-Metric Punching System affect the condition of service with regard to items specifically provided in Fourth Schedule of the I.D. Act and hence required the mandatory procedural compliance under Section 9-A of the Industrial Disputes Act. For that purpose they relied on para 3.2 in Vol. I of the Food Corporation of India manual which provides provisions as to hours of attendance and the procedure for marking attendance by the employees of the Food Corporation of India. It is contained in Ext. W5 and the same is extracted below :

3.2. Hours of Attendance :

- (i) For all members of the Establishment, the hours of attendance are from 10 a.m. to 5.30 p.m. on all working days with a luncheon interval of half an hour between 1 p.m. and 2 p.m. All offices will remain closed on the second Saturday of each month and on other declared holidays. Every member of the Establishment is expected to be in his seat and attend to his work from 10 a.m. In specific cases, the Assistant Manager may permit

members of the staff to come late or leave the office early.

- (ii) An attendance register in form 3.2 will be kept in the custody of the Assistant Manager. The Assistant Manager, Assistants (Grade I and II) and the typist must initial it as soon as they come to office. It will be closed ten minutes after the office opens and will be laid down before the Assistant Manager with the casual leave and late attendance reports.
- (iii) If any member of the staff does not attend office punctually, the word 'late' will be entered against his name in the column for that date. If he comes later on, the hour at which he arrives should be entered by the Assistant Manager. On the 1st of each month, Attendance Registers will be submitted to the Head of the Office. Forfeiture of a day's casual leave will ordinarily be the penalty for every two days late attendance without permission.
- (iv) Staff who require the permission to attend late must apply for it beforehand wherever possible. Any day on which a person attends office after one o'clock whether with or without permission will be treated as on casual leave".

9. The learned counsel for the union has argued that there will be change in the hours of attendance if the Computerized Bio-Metric Punching System is used for marking attendance. It is the specific contention of the management that the introduction of the Computerized Bio-Metric Punching System will only change the modality of marking attendance and it will not in any way effect any condition of service in the Fourth Schedule of the I.D. Act. There will not be any change in the working hours due to the marking of attendance through the Computerized Bio-Metric Punching System. The hours of attendance is from 10 a.m. to 5.30 p.m. with a lunch interval of an hour between 1 p.m. and 2 p.m. and with regard to it if any change is made it can be pointed out as a reason to satisfy that there is a change of condition of service coming under item No. 4 of Fourth Schedule of the I.D. Act. The provisions provided for exercise of the discretion to grant permission to come late or leave the office early and the forfeiture of a day's casual leave or two days' late attendance without permission can be duly complied with even if the marking of attendance is through the Computerized Bio-Metric Punching System. Para 3.2 (iv) provides that staff who require the permission to attend late must apply for it before-

hand wherever possible. So the member of the staff who is to be granted permission to attend late must apply for it and the same is to be considered by the Assistant Manager. The permission can be granted even if the marking of attendance is through the Computerized Bio-metric Punching System. The forfeiture of casual leave for late attendance will be considered only once in a month and for that purpose also it is not necessary to have the marking of the attendance manually in the attendance register. The time of arrival is not to be entered in the attendance register as it can be clearly ascertained with the Computerized Bio-Metric Punching System. The change in the method of marking attendance cannot in any way be said to be a reason to hold that it will affect any condition of service in the Fourth Schedule of the I.D. Act.

10. The union mainly makes the challenge based on S. 9-A of the Industrial Disputes Act by contending that notice was not given as provided under that Section as the change of the system of marking attendance resulted in change of condition of service. S. 9-A of the I.D. Act relied upon by the union provides that no employer, who proposes to effect any change in the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule to the Act cannot affect such change without giving to the workmen notice in the prescribed manner. The provisions of the section are no doubt mandatory. But the preconditions to their applicability are :

- (i) there must be a change in the conditions of service ;
- (ii) the change must be such that it adversely affect the workmen ;
- (iii) the change must be in respect of any matter provided in the Fourth Schedule to the Act.

All the change are not required to be notified. The Fourth Schedule provides for eleven conditions of service for change of which notice is to be given. There may be conditions which by a process of interpretation can be included within one or other eleven listed. The conditions of service for change of which notice is to be given under the Fourth Schedule do not in turn include the matters provided under para 3.2 of the F.C.I. Manual. At this juncture it is also to be pointed out that the F.C.I. Manual contains the regulations and those are not Rules promulgated in exercise of the powers under Section 44 of the Food Corporation of India Act, 1964. Punctuality can be strictly maintained by the introduction of the new system and it

will not make any change in the existing rules of discipline. It cannot be said that it is a case of introduction of new rules of discipline or alteration of existing rules to bring it under item No. 9 in the Fourth Schedule of the I.D. Act. The management is not bound under Section 9-A of the I.D. Act to give notice about the introduction of Computerized Bio-Metric Punching System for marking the attendance as it will not affect the conditions of service in any manner.

11. Though there are allegations from both sides as to the merits and demerits, success and failure of the Computerized Bio-Metric Punching System, it does not assume any relevance to answer the reference.

12. On a consideration of the facts and circumstances there is no reason to enter into a finding that the Computerized Bio-Metric Punching System of marking attendance affect the conditions of service. There was discussion with the union before the introduction of the Computerized Bio-Metric Punching System and the same is evidenced by Exts. M1 and M2. Whatever it be, there is no necessity to give notice under Section 9-A to the workmen or union about the introduction of a new system for marking attendance.

13. In view of the above discussion I hold that the action of the management of Food Corporation of India introducing new system has not resulted in change in service condition.

In the result an award is passed finding that the action of the management of Food Corporation of India in introducing Computerized Bio-Metric Punching System instead of the method of marking attendance in the attendance register manually has not resulted in change in service condition and hence the union concerned is not entitled to any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the personal Assistant, transcribed and typed by her, corrected and passed by me on this the 3rd day of February, 2011.

D. SREEVALLABHAN, Presiding Officer

Appendix

Witness for the Union :

WW1 — Shri K. Devaraja Panicker, State Secretary, BKNK Sangh.

Witness for the Management :

MW1 — Smt. Sosamma Punnen, Manager (IR), FCI Regional Office, Trivandrum.

Exhibits for the Union :

- W1 — Copy of letter No. BKNKS/SS/Kerala/07 dated 29-10-2007 submitted by union to the General Manager (Kerala), Food Corporation of India.
- W2 — Copy of Circular No. IR. 32(5)/2007 dated 19-11-2007 issued by General Manager (Kerala) to all Officers and Staff, FCI, Regional office, Trivandrum.
- W3 — Copy of letter No. BKNKS/SS/Kerala/2007 dated 23-11-07 submitted by union to the General Manager (Kerala), Food Corporation of India.
- W4 — Copy of complaint letter dated 27-11-2007 submitted by union to General Manager (Kerala), FCI.
- W5 — Copy of extract of FCI Manual, Vol. 1.
- W6 — Copy of the Minutes of the conciliation proceedings held on 23-4-2008 in the industrial dispute between the union representatives and the management.
- W7 — Copy of Notice No. Estt. 38(2)/AS/2008-09 dated 9-9-2010.

Exhibits for the Management :

- M1 — Copy of the relevant page of file No. IR(S)/32(5)/2007 dated 25-10-2007 maintained in the Regional Office of FCI, Trivandrum.
- M2 — Copy of the Office Copy of Attendance Certificate No. IR/14(3)/2007/ID/Pouching dated 6-12-2007 issued by Sosamma Punnen, Manager (IR).
- M3 — Copy of Circular No. IR/32(5)/07 dated 1-12-2007.
- M4 — Copy of the Office Circular No. IR/32(5)/07 dated 3-12-2007.
- M5 — Copy of the Circular No. IR/32(5)/2007 dated 7-12-2007.

नई दिल्ली, 9 फरवरी, 2011

का. आ. 693.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एवं डब्लू.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 150/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल.-22012/167/2001-आई आर(सीएम-II)]

डी एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 693.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 150/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kawadi Open Cast Mine of Western Coalfield Ltd., and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-22012/167/2001-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/150/2002

Dated 31-01-2011

Party No. 1 : The Sub Area Manager,
Kawadi Open Cast Mine of
Western Coalfield Ltd.,
Post-Shivjinagar,
Chandrapur

Versus

Party No. 2 : The President,
Lal Zanda Coal Mines Mazdoor
Union, (CITU), New Majri
Colliery, Near Kali Tanki,
Double Stories,
Post-Shivjinagar, Chandrapur

AWARD

(Dated: 31st January, 2011)

This is a reference made by the Central Government in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), of the industrial dispute between the employers in relation

to the management of Kawadi Open Cast Mine of Western Coalfields Ltd. and their workman, Shri Rajdeo Nathuni Yadav for adjudication, as per letter No. L-22012/167/2001-IR (CM-II) dated 27-08-2002, with the following Schedule :

"Whether the action of the management of M/s. Western Coalfields Ltd., in relation to their Kawadi Open Cast Mine in fixing the pay of Sh. Rajdeo Nathuni Yadav, consequent upon his transfer from Pench Area to Kawadi Open Cast Mine in Majri Area as per letter No. WCL/Pench/K.V./STR/23/134/98 dated 1-4-1998 of Personnel Manager, Pench Area initially at Rs. 72.96 p.d. in category-I and then revising it to Rs. 80.94 p.d. in category-II is legal and justified? If not, to what relief the workman is entitled to?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly the workman, Shri Rajdeo ("the workman" in short) filed his statement of claim and the management of the W.C.L. ("the Party No. 1" in short) filed their written statement :

In the statement of claim, it is averred by the workman that he was working as a Tub Loader in the piece-rated category in East Donger Chikhali Colliery, Pench Area of W.C.L. with the basic pay of Rs. 135.51 per day and for exigency of work, he was asked to give his consent to be posted at Majri Area as General Mazdoor Cat.-I on conversion to time rated category and vide his letter dated 17-4-1998, he gave his consent for the transfer, subject to the condition of full protection of his pay and payment of T.A., DA and quarters facility as applicable to loaders and accordingly, he came to be transferred on administrative grounds to Majri Open Cast Mine w.e.f 20-7-1998 in time rated category, as General Mazdoor-Cat.-I and vide office order dated 22-1-1999, the Party No. 1 illegally fixed his basic wages firstly in Cat.-I at Rs. 72.96 and revised to Cat.-III at Rs. 80.94 per day, though he was getting a basic pay of Rs. 133.51 per day, prior to his transfer to time rated category and thus his basic pay was reduced by Rs. 52.57 per day and such reduction of pay was contrary to clause 5 of the settlement dated 31-10-1995, which postulates that such piece rated workman, who may be put in time rated by managerial decisions will continue to get protection of piece rated wages and there was no conceivable nexus or sound reasoning advanced by Party No. 1 to fix his basic wages in the middle of category-III at Rs. 80.94 per day and the impugned action was arbitrary and in colourable exercise of employer's rights and without due application of mind and wholly illegal and unjustified. The workman has

prayed to declare the fixation of his pay at Rs. 72.96 and then at Rs. 80.94 per day as illegal and unjustified and further declaration that he is entitled to protection of pay, which he was drawing prior to his conversion on transfer and payment of back wages and consequential benefits.

3. The Party No. 1 in its written statement pleaded inter alia that a notification was issued by the Area Personnel Manager, Pench Area of WCL dated 1-4-1998, inviting options from the workmen of Pench, who were willing to go to other areas in time rated jobs, for which there was urgent requirement and the said notification had a separate clause for the piece rated workers, which stated that such piece rated workers, who were willing to go in time rated jobs would be converted and transferred in time-rate, this would be applicable from the date they would assume charge in the time rate and the workman, who was a piece-rated loader at E.D.C. Colliery of Pench Area applied for transfer in time rated job and his option was voluntary and he was aware that according to the policy decision of the company, on his change over to time rate, he would get the wage of the Cat., in which he would be deployed and fixed at the mid point of the time rate and in the notification, no assurance was given for giving protection of his basic wage of piece rate, which he was enjoying at Pench Area and he was fully aware of the consequence of his option to switch over to time rate and its impact upon his wage and the workman while opted for his transfer in time rated job, though put a condition of protection of his piece rated basic, as in the notification, there was no stipulation of any conditional option of wage protection, this aspect of his option was not considered and he was transferred to Majri Area in time rated vide order dated 3-6-1998 issued by the Dy. Chief Personnel Manager (I.R.) and he was relieved from E.D.C. Colliery of Pench Area vide office order dated 15-7-1998 of the Mines Manager, with advise to report at Majri Area to be deployed in time rated job and on his reporting to Majri Area, he was posted to Kawadi open cast in Coal Handling Plant as General Mazdoor Cat.-I vide office order No. WCL/MA/GM/PER/98/108/4080 dated 20-7-98 issued by the Personnel Manager, Majri Area and it was stipulated in the said office order that on his conversion from piece rate to time rate, his wage fixation would be done as per the relevant clause of the settlement dated 31-10-95 and accordingly, his wages was fixed at the mid point of Cat. -I i.e. Rs. 72.96 basic per day, but as per the result of the decision with the representatives of the INTUC union held on 18-1-1999, the case of the workman was review in consultation with the concerned department and he was posted as conveyor khalasi/operator vide office order dated 21/22-1-1999 and accordingly, his wage was fixed at Rs. 80.94 in Cat.-III, which was the mid-point of Cat.-III and thereafter, he case stood settled and grievance raised by the workman in this regard was

resolved and he continued to receive the wages fixed as above and subsequently another union namely Lalzenda Coal Mines Mazdoor Union took up his case after about 1½ years and raised an industrial dispute, before the ALC(C), Chandrapur, vide its letter dated 4-5-2000 and the management clarified its position and as no settlement could be arrived at, failure report was submitted to the Government by the ALC(C), which ultimately led to the present reference and from the facts, it would be clear that the decision about the conversion and placement of the workman was strictly in accordance with the settlement dated 31-10-1995 and the workman never demanded to be posted back as loader and the management is ready to put him back in his original job as loader and the offer is open to him and in case he does not accept the offer, then it becomes transparently clear that he wants to reap the benefit of lower category job and higher category wage and the settlement dated 31-10-1995 clearly stipulates that from the date of his settlement, the piece rated workers engaged in time rated job would be paid as per the nature of the job performed by them and as the worker was deployed in time rated job, he was rightly paid the wages of the corresponding category. It is further pleaded by the Party No. 1 that the workman was not drawing a basic pay of Rs. 133.51 per day and the wage of a piece rated loader is not fixed and the same goes on varying according to the work done by him on day-to-day basis and piece rated workers, who are engaged in time rates against notification and in exercise of option are not entitled for the benefit of protection as stated in clause 5 of the settlement dated 31-10-1995 and as such, the workman is not entitled for any relief.

4. The parties were allowed to lead evidence in support of their respective claims. The workman has examined himself as a witness and has reiterated the facts mentioned in his statement of claim. One A.M. Bogawar, Personnel Manager, New Majri O.C. II has been examined as a witness on behalf of Party No. 1. The evidence of this witness is also in the same line of the stands taken by the management in the written statement. This witness filed the documents relating to the notification, option of the workman, transfer and fixation of the pay of the workman and has proved the same.

The option letter of the workman, office orders dated 20-7-1998, 20/22-1-1999 and the representation of the workman dated 29-1-1999 have been marked as Exts. W-3, W-4, W-5 and W-6 respectively, whereas, documents filed by the Party No. 1 have been marked as Exts. M-IV and M-XIII.

5. It is clear from the pleadings of the parties, the documents on record and the oral evidence adduced by the parties that on 1-4-1998, the Party No. 1 made a notification inviting options from the workers of Pench Area, who were willing to work as time rated workers in

other areas except Kanhan Area, as there was urgent requirement of time rated workers in other areas and in response to such notification, the workman vide his letter dated 17-4-1998 (document Ext. W-3 from the side of the workman and Ext. M-XII from the side of management) submitted his option for such transfer and to work as time rated workers, with the conditions of protection of his basic pay and of providing quarters, T.A. and D.A. and thereafter, the Party No. 1 as per orders dated 3-6-1998 transferred the workman and twenty two piece rated workers to different areas of WCL and out of them, the workman and two others were transferred to Majri Area and then, the workman was relieved from E.D.C. Colliery, Pench Area and joined at Majri Area on his conversion in time rated category as General Mazdoor Cat.-I and posted to Kawadi open cast colliery in coal handling plant and then his pay was fixed at Rs. 72.95 per day at first and later on, the same was refixed at Rs. 80.94. There is also no dispute that fixation of pay of workers like the workman is required to be made in accordance with the settlement dated 31-10-1995.

6. At the time of argument, it was submitted by the learned advocate for the workman that as the option submitted by the workman was a conditional option and the workman had specifically mentioned for protection of his basic pay and thereafter his transfer was made by the Party No. 1 on administrative grounds and in the transfer order, it was mentioned by the Party No. 1 that the workers, who were transferred would get all the benefits of transfer, the workman is entitled for protection of his basic pay, which he was getting as a piece rated loader prior to his transfer. It was further argued that in view of clause 5 of the Agreement dated 31-10-1995 also, the workman is entitled for protection of his basic pay. In support of such contentions, the learned advocate for the workman placed reliance on the decision reported in 2000 LAB I.C. 3624 (Karnataka High Court) (S.G. Koragar Vs. the Managing Director, Karnataka S.T.C.).

7. In reply, it was submitted by the learned advocate for the Party No. 1 that as in the notification dated 1-4-1998, there was no stipulation of any conditional option of wage protection, the condition of protection of basic pay of the workman was not considered and in the notification dated 1-4-1998, it was clearly mentioned that the piece rated workers, willing to go in time rated jobs would be converted and transferred in time rate and in the transferred order also, it was specifically mentioned that the workman and 22 others piece rated workers are transferred on the basis of the applications submitted by them and on their joining in the respective area, they would be allowed to work as time rated workers and their pay would be fixed in accordance with the agreement dated 31-10-1995 and thereafter, the workman was relieved from duty and he willingly joined in Majri Area as a time rated worker, so there is no question of the protection of his

basic pay. It was also submitted that no doubt, in the said transfer order, it had been mentioned that as the transfer is on administrative ground, the workers would be entitled to transfer TA and Transit period etc. in accordance with the Rules, the same does not mean that the basic pay of the workers would be protected. It was further submitted that in the relieved order also, it had been mentioned that the workman would be entitled to transfer T.A. and Transit period, as the transfer was done for administrative exigency and in the posting order issued by the Personnel Manager dated 20-7-1998 also, it had been specifically mentioned that, "his fixation on conversion shall be done as per relevant clause of settlement dated 31-10-1995 and according to clause 1 and 3 of the settlement dated 31-10-1995, which were applicable to the case of the workman, the wages of the workman was fixed and as such, the workman was and is not entitled for protection of his basic pay and the action of the Party No. 1 is justified."

8. Peruse the documents filed by the parties. From the document, Ext. M-IV, it is found that the Party No. 1 had called for the options of the piece rated workers of Pench Area to work as time rated workers in other Areas and it was specifically mentioned in the same that the workers have to give their willingness by filing application and as the transfer would be due to administrative exigency, the workers would get the benefit of transfer, such as, T.A./D.A. and transfer grants. It was also specifically mentioned in Ext. M-IV that the piece rated workers would be converted into time rated workers on their joining at the new Areas of their posting. It is also found that though the workman in his application had given his option for such transfer, he had asked for protection of his basic pay, but Party No. 1 did not consider such request and made the transfer order dated 3-6-1998 and in the said order, there was specific mention about fixation of pay as per the settlement dated 31-10-1995. From the documents filed by the parties, it is found that there was no stipulation in any of the documents of the Party No. 1 of giving protection of pay to the workers including the workman and as such, on that score, the workman is not entitled for protection of pay.

9. The settlement dated 31-10-1995 has been marked as Ext. M-VII. Clauses 1, 3 and 5 of the said settlement read as follows :

(1) Item Nos. 1, 3 Demand No. 1 (III) reads as below :

"That the management shall on conversion from PR to TR/MR will fully protect the group wages including SPRA wherever applicable. The basic pay so fixed in the TR/MR category/grade if exceeds the maximum of the category/grade, the balance be treated as personal pay to the person concerned

which shall be adjusted in the subsequent revision of pay/promotion. This decision shall be effective from 1-1-1992. It is also agreed that the cases already converted between 14-11-1990 to 31-12-1991 shall be considered for notional fixation only and earlier cases will not be considered.

The above will be modified as below from 1-11-1995.

All such piece rated workers who have given or may give option for time rated/monthly rated jobs or in case of their selection through internal notification for any time rated/monthly rated jobs will be fixed in the middle of commensurate category for which they in the time rated only and no personal pay will be allowed w.e.f. 1-11-1995."

(3) Hence forth the piece rated workers who are engaged on time rated jobs will be paid as per the nature of work performed by them.

(5) Such piece rated workman who may be put in time rated/monthly rated in future by managerial decisions i.e., without seeking option for time rated/monthly rated or without going through the selection process against internal notification for time rated/monthly rated, will continue to get protection of piece rated wages. Such piece rated workman who comes to TR as per option given by them will not get the benefit.

In this case, there was a notification by the Party No. 1 inviting options from piece rated workers of Pench Area to work as time rated workers in other Area with free consent and willingness and in response to such notification, the workman submitted his option and thereafter, the Party No. 1 selected the workman and 22 others and transferred them and as such, it cannot be said that the conversion of the workman from piece rated category to time rated category was by managerial decision i.e., without seeking option for time rated category or without going through the selection process against internal notification, which are the requirements of getting the protection of piece rated wages. Hence, it is found that the workman, who submitted his option to work as a time rated worker in response to the notification dated 1-4-1998 of Party No. 1 is not entitled for protection of his piece rated wages under clause 5 of the settlement dated 31-10-1995.

So far the decision reported in 2000 LAB IC-3624 (supra), on which reliance has been placed by the learned advocate for the workman is concerned, with respect, I am of the view that the same has no application to the present case at hand as the facts and circumstances of

the case referred in the said decision are quite different from the facts and circumstances of the case at hand. In the case referred in the decision, there was no regulation but in this case, there is a settlement dated 31-10-1995 providing the procedures for fixation and protection of wages of the workmen and the Party No. 1 are bound by such agreement. Hence, it is ordered :

ORDER

The action of the management of M/s. Western Coalfields Ltd. in fixation of the pay of Shri Rajdeo Nathuni Yadav, the workman at Rs. 72.96 per day initially and at Rs. 80.94 per day in category-III is justified and the workman is not entitled to any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 694.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 268/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-02-2011 को प्राप्त हुआ था।

[सं. एल.-22012/67/2000-आई आर (सी-11)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 694.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 268/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of W.C.L., and their workmen, which was received by the Central Government on 09-2-2011.

[No. L-22012/67/2000-IR(C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE SHRI J.P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/268/2000

Dated 3-2-2011

- Party No. 1 : 1. The Sub Area Manager,
WCL Pipla Sub-Area, Pipla,
Tah. Saoner, Dist. Nagpur
2. The General Manager,
WCL Area, Jaripatka,
Nagpur

Versus

Party No. 2 : Shri Kashinath C. Sawarkar,
Pipla Colliery, At. & Post-Pipla,
Dakbangala, Taq. Saoner,
Dist. Nagpur

AWARD

(Dated : 3rd February, 2011)

The Central Government being of the opinion of having the existence of an industrial dispute between the employers in relation to the management of the General Manager, WCL and their workman, Shri Kashinath C. Sawarkar, Clerk Grade-II (LDC) have referred the dispute for adjudication by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), as per letter No. L-22012/67/2000-IR(CM-II) dated 21-08-2000, with the following schedule :

"Whether the action of the management of Western Coalfields Ltd. through its Sub Area Manager, Pipla Sub Area, Pipla & General Manager, Nagpur Area, Nagpur in dismissing/terminating the services of Sh. Kashinath C. Sawarkar, Clerk Gr. II (LDC), Pipla Colliery, Distt. Nagpur w.e.f. 17-2-1999 is legal, proper and justified? If not, to what relief the said workman is entitled?"

2. After receipt of the reference and being noticed, the workman, Shri Kashinath C. Sawarkar ("the workman" in short) filed his statement of claim and the management of WCL ("Party No. 1" in short) filed its written statement.

It is averred by the workman in his statement of claim inter alia that he joined the services of the Party No. 1 on 19-3-1975 and was promoted as Clerk Grade-III in 1984 and as Clerk Grade-II in 1995 and his service record during the said period was clean and excellent without any adverse remark but he was served with a charge sheet dated 16-11-1998, for the act of misconducts alleged to be committed by him, punishable under clauses 26.1 and 26.3 of the certified standing orders, applicable to the operatives of the Party No. 1 and he was not given sufficient time to reply to the said notice and as a L.D.C., his duty was to prepare the wage sheets of the employees every month and it was alleged that while he was checking the wage sheets of the employees in computer section, Silwara, deliberately increased the days of attendance of Shri Kaka Gulab from 3 and 6 days to 25 and 26 days in the wage sheets for the months of May and June, 1998 respectively and the days of attendance of Shri Hari Santosh from 12 days to 25 days in the wage sheet for the month of May, 1998 and due to his said acts, the aforesaid two employees had received the increased salary for the month of May and June, 1998 and thus he was held responsible for committing

misconducts and he denied the allegations of misconduct stating that the attendance of loaders was marked in the MT/C section and the Munshi used to fill up the Form No. 4 and on the basis of Form No. 4, Form No. 10 was being filled up by him and he had correctly filled up Form No. 10 in respect of those two employees and he had not committed any mistake and for the mistake, if any, he was not responsible and the statements of the aforesaid two employees were not recorded either by the department or by the Enquiry Officer during the departmental enquiry proceeding and he was not guilty of the misconducts under standing orders 26.1 and 26.3 and the departmental enquiry was conducted by Shri Arun Khobragade, a Senior Personnel Officer and the enquiry commenced on 7-12-1998 and was completed on 21-1-1999 and the Inquiry Officer submitted his report holding him guilty of the charges and under office memorandum dated 12-2-1999, the second show cause notice was served on him alongwith the copy of the enquiry asking him to show cause against the proposed punishment of dismissal from service and by order dated 17-2-1999 of the Party No. 1, he was dismissed from service and the appeal preferred by him on 22-2-1999 was not considered by the Appellate Authority. It is further pleaded by the workman that the Inquiry Officer did not follow the established procedure of departmental enquiry and he did not direct the management representative at the beginning of the enquiry to submit list of witnesses and documents and as such, did not follow the principles of natural justice and the original documents were not filed in enquiry, instead of which, xerox copies were filed and copies of the documents were not supplied to him and statements of material witnesses were not recorded, in violation of the basic of departmental enquiry and he was not allowed to re-examine witnesses, Shri Kaka Gulab and Shri Hari Santosh and the findings of the Inquiry Officer are perverse, illegal and based upon no evidence and the enquiry was held while he was on sick leave from 7-12-1998 to 6-1-1999, which is against the principles of natural justice and his past clean service record of 24 years was not taken into consideration, while awarding the punishment of dismissal and the punishment imposed against him is disproportionate to the charges levelled against him. The workman has made prayer for his reinstatement in his original post with continuity in service and payment of full back wages.

3. The Party No. 1, in its written statement has pleaded that the workman was involved in various acts of misconduct, breach of trust and cheating in connection with the day-to-day affairs entrusted to him, resulting in

issuance of the charge sheet on 16-11-1998 on various grounds stated therein and after the charges were proved against the workman, he was dismissed from services vide the order of the Disciplinary Authority dated 17-2-1999 and the workman had been demoted from post of Clerk Grade-II to H/Kh. Category-III in the year 1991, on account of theft, fraud and dishonesty in connection with the jobs entrusted to him and the said charges were proved against him, but on consideration of his mercy appeal, the workman was allowed to continue on the same post and as such, it can be safely said that the act and conduct of the workman was willful and no leniency could have been shown towards an employee who was dishonest to the organization and the workman indulged himself into certain acts, which were due to willful omission and negligence of the workman and he was dismissed from services as his acts were of the nature involving moral turpitude and the workman tampered the attendance sheets maintained by the Party No. 1 in Form 'C' of the months of May and June, 1998 and increased the attendance in respect of Shri Kaka Gulab from 3 and 6 days to 25 and 26 days in the month of May and June, 1998 respectively and from 12 days to 22 days in May, 98 in respect of Shri Hari Santosh in the wage sheets in Form No. 'X' prepared by him and the charge sheet dated 16-11-1998 was served on the workman on 21-11-1998 and sufficient time was given to him on his request but till 2-12-1998, no reply was received from him and the workman did not commit any mistake but his act was willful for unlawful gain and he was guilty of the misconduct as enumerated under the standing orders 26.1 and 26.3 and the appeal filed by the workman was rightly rejected as he committed fraud intentionally knowing fully well that the same is against the interest of the management, for unlawful gains and the enquiry was held by following the principles of natural justice and sufficient opportunity was given to the workman to defend himself in the enquiry and the findings of the Inquiry Officer are not perverted but the same are based on evidence on record and the punishment of dismissal from services imposed against the workman is not at all disproportionate to the charges levelled against him and as such, the workman is not entitled for any relief.

4. It is necessary to mention here that after filing of the statement of claim and written statement, all the issues involved in the case were taken for consideration at a time by the Tribunal and parties were allowed to adduce evidence in support of their respective claims. After taking into consideration the materials on record and the submissions made by the parties, the Tribunal passed the award on 27-11-2002, answering the reference in favour of the workman and directing for his reinstatement in the original post with continuity of service and 50% of the back wages. Challenging the award dated 27-11-2002, the Party No. 1 filed writ petition No. 1528 of 2003 before the

Hon'ble High Court of Judicature at Bombay, Nagpur Bench, Nagpur. The Hon'ble Court by order dated 3-7-2003 was pleased to quash and set aside the order dated 27-11-2002 and directed to first take up the issue of fairness of enquiry as a preliminary issue and to dispose of the case in accordance with law.

5. According to the direction of the Hon'ble High Court in writ petition No. 1528/2003, the validity of the departmental enquiry was considered as a preliminary issue. After taking into consideration, the pleading of the parties, the materials on record and the submissions made by the parties, by order dated 3-8-2006, the departmental enquiry was held to be invalid and the management was given the liberty to prove the charges before the Tribunal.

6. The Party No. 1, to prove the charge against the workman examined two witnesses, namely, Shri Arun Antoni Khobragade and Shri Hansraj Bhagwandas Khandekar, who were in Inquiry Officer and Presenting Officer in the departmental enquiry held against the workman respectively, besides relying on documentary evidence. The workman examined himself as a witness in his defence.

7. At the time of argument, it was submitted by the learned advocate for the workman that as the departmental enquiry held against the workman has been found to be invalid by the Tribunal, the evidence recorded in the domestic enquiry cannot be taken into consideration and cannot be relied on. In support of such contention, reliance has been placed on the decision of the Hon'ble High Court of judicature, Bombay reported in 2001 (III) CLR-366 (Maharashtra General Kamgar Union Vs. U.S.V. Limited and another). The further submission made by the learned advocate for the workman was that the Party No. 1 has not been able to prove the charge levelled against the workman and as such, the punishment imposed against the workman can be safely held to be unjustified and unwarranted and as such, the punishment imposed against the workman is to be quashed and set aside and the workman is entitled to be reinstated in service with continuity and back wages.

8. On the other hand, the learned advocate for the management submitted that the workman was involved in several acts of malpractices, fraud, negligence, cheating, undue influence, gross violation of various laid down norms and rules of the Party No. 1, while dealing with co-workers and as such various complaints were received against him and on the basis of various complaints and after the charges have been fully proved, the workman was dismissed from the services. Before mentioning about the further contentions raised by the learned advocate for the management, I think it proper to mention here that the first part of the aforesaid contention is not proper, as there is no material on record in support of the same and the same is without any basis. Moreover, such allegations

have neither been made in the charge sheet submitted against the workman nor any evidence, oral or documentary has been adduced by the Party No. 1 in this respect. Hence, I find no force in the said contention.

The further contention raised by the learned advocate for the Party No. 1 was that in 1991, the workman had been found guilty of theft, fraud and dishonesty in the departmental enquiry held against him and he had been punished with demotion from Clerk Grade-II to H/Khalasi category-III but on consideration of his mercy appeal, he was allowed to continue on the same post and though in this case, the domestic enquiry has been held to be illegal by the Tribunal, it can be held from the evidence adduced by the Party No. 1, both oral and documentary and the evidence of the workman himself that the charge leveled against the workman to have been proved. It was also contended that once it is held that the charges leveled against the workman to have been proved, there is no scope for the Tribunal to interfere with the punishment imposed against the workman and the punishment is not shockingly disproportionate to the charges of serious misconduct committed by the workman. In support of such contention, reliance has been placed on the decisions reported in 1996 LAB IC-462 (B.C. Chaturvedi Vs. Union of India), 1996 LAB IC-469 (Allahabad Bank Vs. Prem Narain Pande), 2005 LAB IC-4158 Vs. A.P. SRTC and 2005 LAB I.C. 854 (Bharat Forge Co. Ltd. Vs. Uttam Manohar Nakate).

At this juncture, I think it proper to mention that as in this case, the disciplinary proceeding has been held to be invalid, the questions of consideration of the past record of the workman and regarding the scope of interference with the punishment imposed against the workman will be arisen, if the charge leveled against the workman will be found to have been proved from the evidence adduced by the Party No. 1.

9. Before delving into the merit of the matter, I think it apropos to mention about the principles enunciated by the Hon'ble High Court of Bombay as reported in 2001 (III) CLR 306 (supra). The Hon'ble High Court, following the judgement of the Hon'ble Apex Court in Neeta Kapilash Vs. Presiding Officer, Labour Court & Anr. (1999 1 LLJ 95) have held that,

"Held : Labour Court, in the circumstances of the case, erred in relying on the evidence recorded in the domestic enquiry once it was held vitiated".

It is necessary to mention here that the Hon'ble Apex Court in the decision reported in 1999 1 LLJ-95 (supra) have held that :

"The record pertaining to the domestic enquiry would not constitute "fresh evidence" as those proceedings have already been found by the Labour Court to be defective. Such record would also not

contribute "material on record" as contended by the counsel for the respondents, within the meaning of Section 11-A, as the enquiry proceeding, on being found to be bad, have to be ignored altogether. The proceedings of the domestic enquiry could be, and were, in fact relied upon by the management for the limited purpose of showing at the preliminary stage that the action taken against the appellant was just and proper and that full opportunity of hearing was given to her in consonance with the principles of natural justice. This contention has not been accepted by the Labour Court and the enquiry has been held to be bad. In view of the nature of the objections raised by the appellant, the record of enquiry held by the management ceased to be "material on record" within the meaning of Section 11-A of the Act and the only course open of the management was to justify its action by leading fresh evidence as required by the Labour Court, if such evidence has not been led, the management has to suffer the consequences."

In view of the settled principles enunciated by the Hon'ble Courts as mentioned above, now, it is to be considered as to whether, the Party No. 1 has been able to prove the charge levelled against the workman on the basis of the fresh evidence adduced before this Tribunal.

10. The first witness of the Party No. 1 is Arun, the Inquiry Officer, who had conducted the domestic enquiry against the workman. He has stated that the workman was working as Lower Division Clerk and was entrusted with the jobs of Billing Clerk and his duties were to check and prepare the wage bills as per the information contained in Form 'X' and the workman prepared the wage bills of the employees till September, 1998 and complaints dated 9-11-1998 and 12-11-1998 submitted by Shri Namdeo Shamji Shinde, who was working as the Senior Clerk, Pipla were received against the workman regarding tampering of the attendance records and on the basis of the said complaints, preliminary enquiry was held by the committee consisting of Office Superintendent, Sr. Accounts Officer and Dy. Personnel Manager of Pipla Colliery and it was found that there was valid ground for initiating an enquiry against the workman and on the basis of such enquiry, charge sheet was issued against the workman and he was appointed as the Inquiry Officer. This witness has stated about the procedures adopted by him in the departmental enquiry and his findings, but the same is of no consequence as the said enquiry is already found to be invalid. In his cross-examination, this witness has admitted that he had not gone through the complaints dated 9-11-1998 and 12-11-1998 and he cannot say about the complaints of Shri Namdeo and "Form C" is maintained marking the attendance by a Register Keeper of the workers and on the basis of the same, "Form X" is filled up and then the same is loaded in the computer by the Billing

Clerk and "Form C" and "Form X" were never signed by the Personnel Manager and upto November 1, he had no knowledge about the incident.

11. The other witness examined on behalf of the Party No. 1 is Shri Hansraj, who was the management representative in the departmental enquiry held against the workman. This witness has also stated that the duty of the workman was to check and prepare the wage bills as per the information contained in Form 'C' and the workman was in charge of preparation of the wage bills of the employees till 1998 and two complaints dated 9-11-1998 and 13-11-1998 submitted by Shri Namdeo, the Senior Clerk, Pipla were received by the Party No. 1, about tampering of attendance records and on the basis of the complaints preliminary enquiry was done by a committee and he was a member of the said committee and the committee found valid ground for initiating an enquiry against the workman and he personally verified the records and came to know that the records were tampered and in the attendance sheet maintained by the Party No. 1 in Form 'C' for the months of May and June, 1998, the attendance in respect of Shri Kaka Gulab, Loader was shown as 3 and 6 days respectively and the attendance of Shri Hari Santosh, Loader for the month of May, 1998 was shown as 12 days but in Form No. 'X', which was maintained by the workman and on the basis of which, the wage sheet was prepared, the workman mentioned the same as 25 and 26 days respectively in respect of Shri Kaka Gulab and 22 days including hazri work on 9-5-1998 in respect of Shri Hari Santosh for May, 1998, which goes to show the conduct and intention of the workman. This witness has also stated about the departmental proceeding held against the workman in details, which is not required to be considered in view of the findings that the departmental enquiry is invalid. This witness has proved the recommendation of the Committee constituted for making the preliminary investigation as Ext. M-7, the copy of the two complaints submitted against the workman dated 9-11-1998 and 13-11-1998 as Exts. M-8 and M-9 respectively, the charge sheet as Ext. M-10, the papers of the enquiry proceedings as Exts. 12(i) to 12 (xxii), the findings of the Inquiry Officer as Ext. M-13, the extracts of pay slip and Form 'X' as Exts. M-14 and M-15, order of dismissal and second show-cause notice as Exts. M-16 and M-17 respectively.

12. The workman in his evidence has stated that false charges were levelled against him in the charge sheet dated 16-11-1998 and the allegations that he increased the days of attendance of Shri Kaka Gulab, Loader in Form 'X' from 3 days and 6 days to 25 and 26 days in the month of May, 1998 and June, 1998 respectively and increased the days of attendance of Shri Hari Santosh, Loader from 12 days to 22 days in the month of May, 1998 are false and he had not increased the days of attendance of the said loaders and he had not signed the Form 'X'

and Form No. 4 is used to be filled in by "Munshi" and Form No. 'X' is used to fill in by concerned relay Clerk, on the strength of Form No. 4 and he had correctly filled in Form No. 10 in his relay and in the month of May and June, 1998, he was working in 'B' relay and as such, he was not concerned with the incident, as mentioned in the charge sheet and the two complaints filed by Shri Namdeo are false and he has been falsely implicated in this case and the punishment of dismissal from service imposed against him is disproportionate to the misconducts alleged to have been committed by him.

In his cross-examination, this witness has stated that he had filed an affidavit on 27-7-2001 and he cannot say if there is difference between the two affidavits filed by him on 27-7-2001 and 6-10-2008, because his advocate had prepared the affidavits and he cannot say the contents of both the affidavits. He has further stated that the work of preparing of muster roll and salary are to be performed with responsibilities and in case of commission of mistakes, the benefits go to others. It is also admitted by the workman that extra salary had been paid to Shri Kaka Gulab and Shri Hari Santosh had he has read the evidence at Exts. M-IV and M-V and the contents of Exts. M-IV and M-V are correct and though there is provision for filing appeal as per the standing orders of WCL, he did not file any appeal against the order of his dismissal. He has also admitted that he had been cross-examined on 16-1-2002.

It is necessary to mention here that during the cross-examination of the workman, the learned advocate for the management adopted the earlier cross-examination of the workman and this Tribunal passed orders to treat the earlier cross-examination as cross-examination on the affidavit filed on 6-10-2008.

In his cross-examination dated 16-1-2002, the workman has stated that in 1995, he was promoted as Clerk Grade-II and he was the Bill Clerk and he was preparing pay bills etc. and basis on the attendance sheet prepared by the Munshi, he was preparing the pay bills of all the workmen and he was making entry of attendance in Form 'C' and on the basis of Form 'C' prepared by him salary was used to be paid to the workmen in Computer Section. He has further admitted that in 1998, he was preparing the pay bills of Shri Kaka Gulab and Shri Hari Santosh and management document Nos. 17 and 18 are true and all the excerpts attached to them are also true and management document No. 18 was prepared by him in his own hand and the same is correct.

The workman in his evidence filed on affidavit on 6-10-2008 has stated that he did not increase the days of work of the loaders and he has not signed the Form 'X' and Form No. 4 was used to be filled in by Munshi and Form No. 'X' was used to be filled in by respective relay Clerk, on the strength of Form No. '4' and he had correctly prepared Form No. 'X' in his relay and in the months of

May and June, 1998, he was working in 'B' relay and he was not connected with the incident as mentioned in the charge sheet. No reliance can be placed on such evidence of the workman, as because, firstly he has not taken such a stand in his statement of claim and secondly in view of his admission about preparation of Form No. 'X', in his cross-examination and statement of claim. In his statement, the workman has pleaded that he was L.D.C. and was preparing the wage sheets of the employees every month and the attendance of the loaders was marked in the MT/C section of WCL and the Munshi used to fill up the Form No. 4 and on the strength of Form No. 4, Form No. 10 was being filed in by him and he had correctly filled in Form No. 10, wherein, the attendance of above two employees/loaders was rightly marked by him and he has not committed any mistake in it and for the mistake if any, he was not at all responsible. In paragraph 14 of his statement of claim, the workman has mentioned that, now, he is out of job and suffered a lot with his family, which punishment is itself more than what he ought to be awarded and the mistake committed by him unknowingly were corrected by deducting the over payments made to the loaders by him. In his evidence on affidavit filed on 27-7-2001, the workman has also stated the above-mentioned facts. The above facts mentioned by the workman in his statement of claim and affidavit dated 27-7-2001 can be taken as indirect admission of the workman of his guilt.

13. The learned advocate for the workman at the time of argument submitted that though according to the management, the workman increased the working days of Shri Kaka Gulab in the month of May, 1998 from 3 days to 25 days, thereby there was increase of 22 working days, but the annexure attached to the document Ext. M-7 shows that the excess working days of Shri Kaka Gulab were 19 days and Management Witness No. 2 has admitted the said fact in his evidence and according to the said annexure, excess payment alleged to have been made to Shri Kaka Gulab also in March, July, August and September, 1998, due to increase of the working days, but nobody was held responsible for such increased attendance and as such, no reliance can be placed on the evidence of Management Witness No. 2, Shri Hansraj. It was also submitted that there is also nothing in the evidence of Management Witness No. 1, Shri Arun to prove the charge against the workman, but, on the other hand, the evidence of the workman given on affidavit has not been shaken in the cross-examination and as in this case, the relevant documents, such as, the pay sheet and other connected documents have not been filed and material witnesses, Shri Kaka Gulab, Hari Santosh and Namdeo Shamji Sindhe have not been examined, it can be held that management has failed to prove the charges levelled against the workman. However, I do not find any force in the contentions raised by the learned advocate for the workman due to the discussions made earlier about the evidence of the witnesses of the parties and for the reasons mentioned below :

In this case, Management Witness No. 2, Hansraj has proved the Forms No. IV and X(10) for the months of May and June, 1998 in respect of Shri Kaka Gulab and Shri Hari Santosh as Ext. M-14 and Ext. M-15 respectively. The said documents have been admitted into evidence without any objection. Though, the workman in his affidavit dated 6-10-2008 has denied to have prepared Ext. M-15, it is clear from his pleading in the statement of claim and affidavit dated 27-7-2001 that Ext. M-15 was prepared by him. On perusal of Ext. M-15, it is found that the workman has shown the working days of Shri Kaka Gulab for May and June, 1998, as 25 and 26 days respectively and the working days of Hari Santosh for May, 1998 as 25 days. However, according to Ext. M-14, the Form No. IV (4) the working days of Shri Kaka Gulab for May and June, 1998 were 3 days and 6 days respectively and the working days of Hari Santosh for May, 1998 were 12 days. So it is clear from Exts. M-14 and M-15 that the workman knowingly increased the working days of Shri Kaka Gulab and Shri Hari Santosh. The workman has also admitted that excess payment was made to Shri Kaka Gulab and Shri Hari Santosh and such excess payment was recovered. In view of such documentary and oral evidence on record, no adverse inference can be drawn for non-production of pay sheet and non-examination of Shri Kaka Gulab, Hari Santosh and Namdeo Shamji Sindhe. It is clear from the evidence adduced by the Party No. 1 that the workman committed fraud and dishonesty in connection with the employees business and property and tampered with the company's record with ulterior motive. Hence, it is held that Party No. 1 has been able to prove both the charges under clauses 26.1 and 26.13 of the standing order against the workman.

14. So far the quantum of punishment is concerned, from the evidence of the management witnesses and document Ext. M-6, it is found that earlier there was demotion of the workman to Grade-III Clerk as per the order dated 14-11-1991 after consideration of the appeal filed by him, on sympathetic ground, though originally he was demoted to H/Kh Cat. III. In this case also the misconducts of the workman which are very serious in nature have been proved against the workman. So taking into consideration the proved serious misconducts of the workman and his previous service record, I find the imposition of the punishment of dismissal from service is not shockingly disproportionate and there is no reason to interfere with the punishment. Hence, it is ordered :

ORDER

The action of the management of Western Coalfield Ltd. in dismissing the service of Shri Kashinath C. Sawarkar, Clerk Grade-II w.e.f. 17-2-1999 is legal and justified and the working is not entitled for any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 695.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एन. सी. एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या 60/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल.-22012/69/2008-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 695.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 60/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Northern Coalfield Limited, and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-22012/69/2008-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE SRI RAM PARKASH, HJS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 60 of 2008

Sri Anil Kumar Srivastava,
Through Ram Gopal Srivastava,
Chilkadand Basti, Shakti Nagar,
Sonabhadra,
Uttar Pradesh

AND

The Chief General Manager,
M/s. Northern Coalfield Limited,
Khadiya Pariyojna Shakti Nagar,
Sonabhadra,
Uttar Pradesh

AWARD

1. Central Government, Mol, New Delhi, vide notification No. L-22012/69/2008-IR (CM-II) dated 30-6-2008, has referred the following dispute for adjudication to this tribunal.

2. Whether the action of the management of M/s. NCL in dismissing Sri Anil Kumar Srivastava from service with effect from 18-04-2005 is legal and justified? To what relief is the claimant entitled?

3. Brief facts are that claimant Sri Anil Kumar Srivastava has filed his claim statement alleging that the order of termination passed by the opposite party is illegal and he is entitled to be reinstated. It is stated that opposite

party has terminated his services after conducting domestic inquiry, after issuing a charge sheet dated 31-12-2004. It is alleged that there is standing order of the opposite party. According to the standing order an employee of the opposite party can be issued charge sheet only when he has committed misconduct thrice in a year, whereas he has been issued charge sheet for one misconduct which is against the provisions of standing order and therefore the charge sheet is illegal and any punishment based on the said charge sheet is liable to be set aside, which cannot be termed misconduct. Therefore, the opposite party has committed the breach of the provisions of the standing order. Thus he is entitled for the aforesaid relief.

4. Opposite party in its written statement has vehemently denied the entire allegations of the claimant. It is stated that the claimant was also caught red handed for theft of diesel as he was a driver and he was charge sheeted, previously also dated 16-7-2002, after due inquiry he was dismissed but on appeal he was reinstated in service but he was posted at the post of Mazdoor Category but he could not mend his ways and again committed a serious misconduct of theft, forgery and dishonesty of the property of the employer. He was caught red handed of theft of machine parts on 28-12-2004, and FIR was lodged against the workman. After inquiry he was suspended and charge sheeted as per certified standing orders, a domestic inquiry as per law was conducted. He was given opportunity to defend his case. He fully participated in the domestic inquiry. Inquiry officer conducted an inquiry. The charges were found fully established by the inquiry officer and he submitted his inquiry report to the management. Again a show cause notice was issued to the workman but he did not submit any reply. Disciplinary authority examined the inquiry report seriously and after examination dismissed the workman from the service vide order dated 18-4-2005 which is fully legal and valid in the eye of law. It is also pleaded by the opposite party that while conducting domestic inquiry against the claimant they have not committed any breach of the provisions of the standing order. It is stated that there is no standing order which requires that a person concern cannot be dismissed from the service for committing serious misconduct of theft, forgery and dishonesty. Lastly it is pleaded that the inquiry was fairly conducted by the inquiry officer and all reasonable opportunity of defence was afforded to the claimant by the inquiry officer, therefore, the punishment awarded to the claimant does not call for interference at the hands of this Hon'ble Tribunal. It is therefore, prayed that the claim of the claimant is liable to be rejected being devoid of merit.

5. Claimant has filed certain papers along with claim statement. First paper is copy of the order of dismissal; second is photocopy of suspension order and photocopy of standing orders.

6. Opposite party has also filed 43 documents vide list 10-9-2002. All these documents are related to the inquiry.

7. Heard and perused the record.

8. The claimant has not adduced any evidence in support of his pleadings. He has not appeared at the time of arguments. Claimant has alleged that the opposite party has committed mala-fide act but he has not adduced any evidence in support of his pleadings. Initially the burden lies on the claimant to prove a fact but he has failed to prove the fact. Opposite party has refuted the claim of the claimant alleging that there was a gross-misconduct committed by the claimant and a proper and legal inquiry was conducted against him.

9. Opposite party has argued his case.

10. Opposite party has placed reliance upon a decision 2005 LLR 1229 Allahabad High Court, Vinod Kumar II versus P.O. Labour Court Agra and Others. In this case a driver was terminated for causing loss of Rs. 50,000. It was held that the burden of proof lies heavily on workman. He did not give any evidence.

11. Therefore, in the present case also a heavy burden lies on the claimant but he has failed to discharge the said burden.

12. Therefore, considering all the facts and circumstances of the case, I am of the view that the claimant is not entitled for any relief.

13. Reference is accordingly decided against the claimant and in favour of management.

RAM PARKASH, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 696.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एवं एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 182/1994) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल.-22012/286/1994-आई आर (सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 696.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 182/1994) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the

management of SECL and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-22012/286/1994-IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/182/94

Present :

Presiding Officer Shri Mohd. Shakir Hasan

The Secretary,
Koyla Mazdoor Sabha (UTUC),
Camp Lusai,
PO Kotma,
Distt. Shahdol (M.P.)

... Workman

Versus

The Sub Area Manager,
Bhadra Colliery of SECL,
Distt. Shahdol (MP)

... Management

AWARD

Passed on this 28th day of January, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-22012(286)/94-IR-C-II dated 28-9-1994 has referred the following dispute for adjudication by this tribunal :

“Whether the action of the Sub Area Manager, Bhadra Sub Area of J&K Area of SECL in dismissing Shri Suddu, S/o Dayali, loader w.e.f. 26-9-1990 is legal and justified ? If not, to what relief the workman is entitled to?”

2. The case of the Union/workman in short is that the workman Suddu was appointed by the non-applicant as a loader in the year 1976. He fell sick and was under treatment of the colliery doctor. When he was declared fit, he submitted medical certificate for resuming duty but he was not allowed and served with a charge sheet on 17-5-1990. The enquiry was held without given opportunity of hearing in violation of natural justice. The relevant record was not shown and the finding was perverse which was contrary to law. The punishment awarded for unauthorized absence is too harsh. On these grounds, it is submitted that dismissal order be declared illegal and the workman be reinstated with all consequential benefits.

3. The management appeared and filed written statement to contest the reference. The case of the management, inter alia, is that admittedly the workman was working as a loader in Bhadra Colliery but he was absenting unauthorisedly without any permission or sanction leave. Accordingly, chargesheet was issued on 12-5-1990. He replied but it was found not satisfactory. The Disciplinary Authority initiated a departmental proceeding and

appointed Enquiry Officer and management Representative. The Enquiry Officer conducted enquiry and submitted enquiry report holding him guilty of charges. The Disciplinary authority after considering the evidence found that the principle of natural justice was followed and the charges of habitual absenteeism was proved and awarded punishment of dismissal from the service. It is also stated that in case the departmental enquiry is vitiated, the management be given opportunity to prove misconduct in Court. It is submitted that the action of the management is justified and the reference be answered in favour of the management.

4. On the basis of the pleadings of the parties, the following issues are framed for adjudication :

1. Whether the enquiry is just, proper and legal ?
2. Whether the management is entitled to lead evidence before this Tribunal ?
3. Whether the charges of misconduct are proved on the facts of the case ?
4. Whether the punishment awarded is proper and legal ?
5. Relief and costs.
5. Issue Nos. 1 & 2 :

These issues are taken up as a preliminary issue. The then Tribunal after considering the materials on record passed order on 1-8-2001 and held that the departmental enquiry conducted against the workman was just and proper. The management is not required to lead any more evidence to prove the alleged misconduct of the workman. Thus these issues are already decided in favour of the management.

6. Issue No. 3 :

On the basis of discussion made above, it is clear that the then Tribunal came to the conclusion that there is no more requirement to the management to prove misconduct. This itself shows that the then Tribunal was in an opinion that the misconduct was proved by the management in the departmental proceeding.

7. Issue Nos. 4 & 5 :

The only point for determination is as to whether the punishment was harsh and the workman is entitled to any relief. It appears from the record that after findings on the preliminary issues, no evidence is adduced and the Union/workman became absent subsequently. The then Tribunal, thereafter proceeded the proceeding ex parte on 9-4-2008 against the workman/Union. The evidence adduced during the departmental proceeding shows that he was habitual absentee without any permission or leave. The evidence adduced during departmental enquiry shows that he was habitual absentee without sufficient cause. This shows

that there is no justification to interfere with the punishment awarded by the Disciplinary Authority. I do not find any merit and it is found that the action of the management is justified. Accordingly, these issues are decided against the workman/Union and in favour of the management. The reference is thus answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 697. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 19/1991) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल. 22012/287/1990-आई आर (सी-11)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 697.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 19/1991) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-22012/287/1990-IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/19/91

PRESENT :

Presiding Officer Shri Mohd. Shakir Hasan

The Secretary,

Rashtriya Koyla Khadan Mazdoor Sangh,

P.O. Nowrozabad Colliery,

Distt. Shahdol

—Workman

Versus

The Manager,

Nowrozabad Colliery of SECL,

PO Nowrozabad Colliery,

Distt. Shahdol

—Management

AWARD

Passed on this 24th day of January, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-22012(287)/90-IR (C-II) dated 7-2-1994 has referred the following dispute for adjudication by this Tribunal :

“Whether the action of the management of Nowrozabad colliery of SECL in terminating services of their workman Shri Jagaiya, Trammer, T. No. 1632 is legal and justified? If not, to what relief the workman is entitled?”

2. The case of the workman/Union in short is that the workman Shri Jagaiya was initially appointed as Mazdoor on 15-7-1952 at Birsinghpur colliery, Distt. Shahdol. After nationalization of the coal mines, he became employee of the SECL. He was served with a charge-sheet on 7-7-1988 for committing alleged misconduct. Subsequently departmental enquiry was initiated and the Enquiry Officer was appointed. After enquiry the Disciplinary Authority passed the order of dismissal on 19/20-9-1988. It is stated that unparliamentary language was used by the workman but the words used were not disclosed. The defence was also not considered by the Disciplinary Authority. The punishment awarded to the workman was shockingly disproportionate taking in view the past record of his service. Under the circumstances the order of dismissal be set aside and the workman be reinstated with full back wages.

3. The management appeared in the reference and filed Written Statement to contest the case. The case of the management, inter alia, is that admittedly the workman was working as Trammer in Nowrozabad colliery of SECL. It is alleged that on 7-7-1988 at about 7.45 A.M. while Shri Satishwar Rai, Under Manager was approaching near Token Office No. 8, Incline, the said workman chased him and hit him with shoes and used unparliamentary language against him. Shri Rai reports the occurrence to the management and therefore, a charge-sheet dated 7-7-1986 was issued to the workman. He submitted his reply but the management initiated departmental proceeding against him. Shri S. K. Ghosh, Sr. Under Manager was appointed as Enquiry Officer. The co-worker of the workman participated in the proceeding alongwith delinquent workman. The E.O. after concluding the enquiry submitted the enquiry report holding him guilty of the charges. The Disciplinary Authority on the basis of the findings agreed and passed the order of dismissal from service. The management alternatively has prayed that if the Tribunal comes to the conclusion that the enquiry is not proper then the management be given opportunity to prove misconduct in the Court. On the above grounds, the action of the management is justified and the workman is not entitled to any relief.

4. On the basis of the pleadings of both the parties, the issues are settled as follows :

- I. Whether the enquiry is just, proper and legal ?
- II. Whether the management is entitled to lead evidence before the Tribunal ?
- III. Whether the charges of misconduct are proved on the facts of the case ?
- IV. Whether the punishment awarded is proper and legal ?
- V. Relief and costs.
5. Issue Nos. I & II :

These issues are taken up as preliminary issues and the then Tribunal after hearing and perusing the evidence held that the departmental enquiry conducted against the workman is not legal and proper and the management is entitled to prove the misconduct of the workman vide order dated 4-7-2006. Thus these issues are already answered earlier.

6. Issue No. III :

Now the very important for consideration is as to whether the management is able to prove the charges of misconduct in Court. To establish the charges the management has examined two witnesses. The management witness Shri Satishwar Rai is the main complainant of the alleged occurrence. He has supported the alleged occurrence in his evidence. He was Under Manager at the relevant time. He has stated that at about 7.15 A.M. on 7-7-1988 the workman Shri Jagaiya came at his place and told for light work. On his telling, he told him to give in writing to the Manager but he refused and came behind him. When he reached near lamp room, he again told him to go to tell the Manager. Then he threatened him and abused him and assaulted with shoes on the shoulder. He tried to save himself with hand as a result he sustained injury on the thumb and blood was oozing out. He has been cross-examined at length but there is nothing to disbelieve his evidence. He has filed report regarding the occurrence. He has proved the original complaint filed before the authority which is Paper No. 2. The original complaint also corroborates the evidence of Shri Satishwar Rai. He appears to be not inimical to the workman nor he had any grudge for falsely implicating him being an officer of the Mines, it appears to be not probable that he would falsely say that he was assaulted by shoes. He appears to be trustworthy. Another management witness Shri Arun Nigam was Electrician at the relevant time. On that day, he was also on duty. His presence at the place of occurrence was obvious. He is also named in the complain petition by the complainant (paper No. 2) as a witness. He has also corroborated the evidence of the complainant Shri Satishwar Rai. He has supported the fact that the workman assaulted Shri Satishwar with shoes on left shoulder. He has also supported that the workman was abusing him in

the names of mother and sister. There is minor contradiction which is bound to occur otherwise it is said to be a tutored witness. It also occurs by lapse of time but it is not detrimental to the case. He is also not inimical to the workman. He has also been cross-examined at length but there is nothing to disbelieve his evidence. The factum of assault and abuse is proved. Thus the evidence of both the witnesses establishes that the workman assaulted and abused Shri Siteshwar Rai as he had not given him light work. This shows that the workman was guilty of serious misconduct.

7. On the other hand, the workman has not adduced any evidence. Workman is examined at the time of preliminary issues regarding the legality of departmental enquiry. Thus there is only evidence of the management on the point of misconduct committed by the workman. Considering the evidence discussed above, it is clear that the management has succeeded in proving misconduct against the workman. Accordingly, this issue is decided in favour of the management and against the workman.

8. Issue Nos. IV & V :

Considering the evidence as has been discussed above, it is established that a worker assaulted with shoes to his officer for not giving him light work. This appears to be a serious misconduct. The learned counsel for the workman has argued that for similar charges criminal case was also lodged but there is nothing on the record to show that there was any criminal case and the same was disposed of on merit and he had been acquitted honourably. The learned counsel for the workman has cited decision reported in (2006) 5 S.C.C. 446 G. M. Tank vrs. State of Gujarat and Others and AIR 1996 S.C. 486 B. C. Chaturvedi versus Union of India and others. These decisions are not applicable in the case. I find that the charges of misconduct was of serious nature against the workman and therefore, I do not find any reason to interfere in the order of punishment passed by the management. Accordingly, these issues are decided in favour of the management and against the workman. The reference is, thus, answered.

9. In the result, the award is passed without any costs.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का.आ. 698.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 120/1994) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-2-2011 को प्राप्त हुआ था।

[सं. एल.-22012/86/1994-आई आर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 698.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 120/1994) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 9-2-2011.

[No. L-22012/86/1994-IR(C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/120/94

Presiding Officer: SHRI MOHD. SHAKIR HASAN

The Vice President,
National Colliery Workers Federation,
PO Rajnagar Colliery,
Distt. Shahdol (MP)

— Workman/Union

Versus

Sub Area Manager,
Ramnagar R.O. of SECL,
PO Jhimar Colliery,
Distt. Shahdol (MP)

— Management

AWARD

Passed on this 27th day of January, 2011

The Government of India, Ministry of Labour vide its Notification No. L-22012/86/94-IR (C-II) dated 2-8-04 has referred the following dispute for adjudication by this Tribunal :

"Whether the demand of the Vice President, National Colliery Workers Federation, Hasdeo Area that the Sub Area Manager, Ramnagar R.O., of Hasdeo Area of SECL should take 26 workers (list enclosed) engaged in the work of water carriers should be taken out the roll of the management is legal and justified? If yes, is what relief the workers are entitled to?"

2. The case of the Union/workmen in short is that 26 workers (list enclosed in the reference) are performing the perennial and permanent nature of job of supplying water to the staffs and officers living in Block No. 1 of the Ramnagar Colliery and surface building of the management since 1-7-1982. The Wage Board Award, 1967 and the National Coal Wage Agreements (in short NCWA) coming

into force w.e.f. 1975 covered to the workmen employed for carrying water as Category No. 1, unskilled employees. They are working under the direct control of the Ramnagar Colliery and the relationship of master and servant exists between the management and the workmen. These workmen are not brought into the roll of the management though earlier the water carrier workers were brought on the roll of the management and are getting salary of Cat-I mazdoor. The payment to all such workers was/is drawn in the name of the persons who were leaders of the gang and such persons were also performing the same work alongwith other water carrier workers. In the instant case, the management was drawing payment in the name of Shri Mangal Singh and Shri Siya Saran as per directions of the Area Headquarter of Hasdeo Area. They are also doing the same work alongwith other workers. The workmen are entitled to be given the salary of Category I (unskilled) Mazdoor from the date of their initial appointments. Shri Mangal Singh and Shri Siya Saran were never engaged as contractors. They had no registration as contractors by the competent authority as has been provided under the Contract Labour (Abolition and Regulation) Act, 1970 (in short) C.L. (R. & A) Act, 1970. It was only a device to avoid the regularization of such workers. It is stated that the management has never issued any tender notice nor even has ever published in any Newspaper for engaging contractor labours for supply of water. The payment shown in the names of contractors is nothing but an artificial system created by the management to avoid the claim of regularization by the workers. These workers through Union filed a petition before the Hon'ble High Court as M.P. No. 1530/92 wherein the Hon'ble Court passed order dated 29-6-92 directing the Union to resort remedy as provided under the Industrial Disputes Act, 1947 (in short I.D. Act, 1947). It is alleged that this is an unfair labour practice of the management to avoid to pay the regular wages though the workers are under the direct control and supervision of the management. They are getting @ Rs. 52 paise per "Kawar" wages which is less than the minimum wages. It is submitted that the reference be answered in favour of the workmen/Union by giving direction to the management to take the workmen on the roll of the management and to pay the wages of Category I Mazdoor under NCWA along with arrears.

3. The management appeared and contested the reference by filing Written Statement. The case of the management, inter alia, is that the reference is not maintainable. The contractors were engaged for the supply of water to the residential colony of the staffs and Executives of Ramnagar Block No. I as the pipeline work for water supply was pending. The management has not engaged any water carrier worker. There is no relationship of employer and employees between the management and individual worker. These workmen are not covered under the provisions of the CL(R & A) Act, 1970. These contractor workers were employed by different contractors for the

purpose of supply of drinking water in the Ramnagar Block-I. This work is not at all of a permanent and perennial nature of job rather it is purely temporary and casual in nature. They do not do work every day and are not required to work eight hours. It is stated that the payment to the workers employed by the contractors are paid from colliery counter under the supervision of the authorized representative of the management to ensure proper payment. The contractors were getting instruction from the management to carry the drinking water in particular quarter/residence at Ramnagar Block-I. Shri Mangal Singh and Siya Saran are contractors. The work is awarded to the contractors and as soon as the work is completed, the contract of the contractors is automatically terminated. The contractors are drawing the payment and disbursing the same amongst the contractor workers. If the contractors also work then it is their own business and the management has nothing to do. The work was awarded to the contractors after proper tender and after observing other formalities. The contractors workers have no right for regularization on the company's roll as they are engaged on temporary and casual nature of job. It is stated that the issue has also already been decided by the Hon'ble High Court of M.P. in M.P. No. 1674/88. On these grounds, it is submitted that these contractors' workers claim be rejected.

4. On the basis of the pleadings of both the parties, the following issues are framed for adjudication :

- I. Whether there is relationship of employer and employees between the management and water carrier workers ?
- II. Whether the demand of the union for taking the water carrier workers on the roll of the management is justified and legal ?
- III. To what relief the workers are entitled ?

5. On the basis of the pleadings of both the parties it appears that the following facts are admitted.

- I. The water carrier workers as in the list of reference are supplying water to the staffs and officers living in Block-I of the Ramnagar Colliery of Hasdeo Area.
- II. The workers are supplying water on piece rated as per Kanwar.
- III. They receive payment from the colliery counter under the supervision of the authorized representative of the management.
- IV. Shri Mangal Singh and Siya Saran, who are alleged to be contractors, are also doing the same job of water carrier as other water carrier workers are doing.
- V. There is no water supply system to the staffs and officers in Block No. I of Ramnagar Colliery.

6. Issue No. I

The very important point for determination is as to whether there is relationship of the employer and employees between the management and the water carrier workers. The only case of the water carrier workers is that they are in the direct control and supervision of the management and he is their employer whereas the management states that these workers are the workers of the contractors and the management has no concern. There is no other case that the management had engaged them as on casual and temporary basis rather the work of supply of water is of temporary nature of job. To establish the relationship the Union/workmen has adduced oral and documentary evidence. The Union has filed evidence of 28 witnesses by way of affidavits but only four witnesses namely Shri Parkash Singh, Senior clerk, Lagandhari, Siyaram, the alleged contractor and Mangal Singh, the alleged contractor have appeared and have been cross-examined. Thereafter the evidence of the Union was closed on his prayer.

7. Now the evidence of these four witnesses are to be examined to determine the point for consideration. Shri Parkash Singh is a Senior Clerk. He is residing in Block I, at Ramnagar residential colony of the company since 1976. He has supported the case of the Union/workmen that the water was being supplied by the company. The water carrier workers used to supply water in houses which was fixed by the company. They supply water at the rate of per Kavar. The residents signed that how many Kavar they had supplied in a month. There is no contractor of water carrier workers. They worked from 3 A.M. to 12 A.M. He has further stated that he is a member of the Union. He was supplied 15 Kavar every day and the management fixed the quantity of water according to the category and status of the Staffs and officer. His evidence shows that there is no contractor and the supervision and control on the water workers was of the management who supplied water on piece rated basis.

8. Another witness Lagandhari was a water carrier worker. He has come to support the fact that he was regularized by the company on 3-7-1982 alongwith 14 others as Mazdoor Category-I. There is no denial by the management that he was not water carrier worker and had not been regularized. He has stated that Shri Mangal Singh and Union had told him that he had prepared the affidavit but he cannot say what is written in it as he is illiterate. It does not mean that he had not dictated the contents of the affidavit, because he has stated then he had prepared the affidavit. His evidence shows that water carrier workers were earlier regularized in Category I and the work was being done by the department from water carrier workers and was not being done by any contractor.

9. Another Union witness Shri Siya Saran is water carrier worker. The management alleges that he is a contractor. He has stated that 40 persons are engaged by

the management for supply of water to the houses of the staffs in Ramnagar Block-I colliery. He is working this work since 1982 and earlier 16 persons were regularized and they had been engaged in their place. He has further stated that from 1987 they are getting payment from the counter of the company. He has stated that Civil Engineer and Overseer of the company supervise the work. They work from 3 A.M. to 12 A.M. of supply of water. He has denied that he had given quotation for supply of water. He has stated that Engineer and Overseer maintained accounts of water supply and he did not keep any account. He has denied that he engaged other water carrier workers and he received payments. He has stated that he got payment on the basis of per "Kavar". His evidence clearly shows that there was control of the management. There was no contractor and the liability of payment to individual workers and to organize work were of the management.

10. The another Union witness Shri Mangal Singh has also supported the case of the Union/workmen. He is also alleged to be a contractor of the management for supply of water. He has denied this fact in his evidence. He has stated that he is not a contractor, nor he has submitted any tender. He has stated that Supervisor and Engineer supervised the work and gave direction. He has denied that he had engaged other water carrier workers. The attention is drawn to his previous statement adduced before Deputy CLC, Mumbai in a case to contradict his evidence where he has stated that he and Siya Saran look after the supply of work and he and Siya Saran had quoted the less rate. I do not feel it a vital contradiction specially because he had denied that he is a contractor and had engaged 40 water carrier workers. The work is admittedly piece rated and therefore the rate agreed before engaging workers shows that there was agreement of payment of wages on piece rated.

11. The Union/workmen has also filed documents to prove the case that Shri Siya Saran and Shri Mangal Singh were not contractors rather there was relationship of employer and employee between the management and water carrier workers. Annexure R/4 is photocopy of the direction issued by Dy. CME/Sub area Manager, Ramgarh whereby it is clear that as per the directions of Area Headquarter, Hasdeo Area payment to water carrier workers of Ramnagar Block-I will be made as one of the water carrier as contractor. Moreover further it is directed that the payment to the water carriers at Ramnagar Block No. I will be made from the colliery counter in presence of Dy. P.M., Ramnagar Sub Area on 1-1-1988. This direction appears to have been given after they had already worked. This letter of the management itself shows that there was no contractor rather it further shows that the alleged contractor was sham and bogus and it was only an internal arrangement made by the management.

12. The Union/workmen has filed work orders which is Annexure R-11 series from Paper Nos. 150 to 167. The

copies of the work orders are said to be obtained from the office of the management to show that these are sham and bogus. These work orders are admitted by the management witness Shri P.A.N. Murty in his evidence at para-17. These work orders are ante dated when the works ended then the work orders are issued and prepared. Annexure R-11 (paper No. 150) shows that the work order was issued on 14-5-92 for the work of supply of water to staffs from 1-4-92 to 30-4-92. This itself shows that the work order was issued after the work done and as such it is antedated. It is evident that the work orders are simply paper works and the contract was sham and bogus and practically there was no contract. Similarly all work orders till reference and thereafter appears to be issued in the same manner.

13. The Union has also filed the alleged final bills which are said to have been obtained from the management to show sham and bogus contract. Annexure R-10 series are the alleged final bills. These bills also show that it were bills of antedated work orders of the period of 1994 onwards. The learned counsel for the management Shri A. K. Shashi argued that these bills show the signature of Mangal Singh and therefore it is clear that it was submitted by the contractor Mangal Singh. I do not agree with this view of the learned counsel Shri Shashi because these bills are for antedated work orders. Moreover the management appears to be in a position to dominate the will of the water carriers in view of the employment. It looks more probable and obvious that to remain in employment, Shri Mangal Singh and Shri Siya Saran signed over the antedated documents which had been prepared by the management antedated after the work was completed. This fact and circumstances of the case establish that the alleged contract was sham and bogus and practically there was no contract and the water carrier workmen were in the direct employment of the management.

14. The Union has also filed photocopies of payment sheets from the year 1989 onwards which are Annexure R-5 series (Paper Nos. 26 to 117). These payment sheets show that the payment of wages are made to the water carrier-workmen from the counter of the colliery individually by the management. The payment sheets show that Mangal Singh and Siya Saran received wages as water carrier workers only along with other workers in the same payment sheet. This shows that Mangal Singh or Siya Saran had not received payment of all the workers separately as contractors for payment to the workers. It further shows that one of the worker used to sign on the payment sheets as a witness as payment of wages to the water carrier workers. Mangal Singh, Birbahadur, Siya Saran, Jit Partap etc. signed on the payment sheets in different months as a witness of payment to the workers. The payment sheets also corroborate the case of the Union/workmen that the workmen are in direct employment of the management. The bill further shows that the water carrier workers worked continuously and the payment was made monthly on piece rated basis.

15. On the other hand, the management has also adduced oral and documentary evidence. The management has examined three witnesses in the case. The management witness Shri R. C. Yadav is presently Personnel Manager at Januna and Kotma Area of SECL. At the relevant time according to him, he was Welfare Officer (trainee) at Ramnagar Sub Area of SECL. He has come to support the case of the management that Mangal Singh and Siya Saran were contractors for supply of water to the staffs and officers quarters at Block No. 1 Colony of Ramnagar. He has referred the documents which are to be discussed later. Most of the same documents are also filed by the Union/workmen and have already been discussed earlier. In cross-examination he has stated that in the year 1982, he was not posted at Ramnagar colliery. He cannot say that the workmen were working in the year 1986-87 and Mangal Singh and Siya Saran etc. did strike in year 92-93 to take them on the roll of the management. This shows that he is not competent to say that Mangal Singh and Siya Saran were contractor because at that time he was not posted at Ramnagar colliery.

16. Another management witness Shri P.A.N. Murthy is presently Finance Manager at Ramnagar Sub Area, SECL, Hasdeo Area. He has stated that drinking water facility is provided to the staffs and officers. The Individual supplied water to the staffs and officers and for this supply the amount were being paid according to the quantum of water supplied by the contractors. In cross-examination, he has admitted the fact that the tender was invited after the work done. This itself shows that the documents filed by the management is antedated and these are created for the reason best known to the management. Thus his evidence shows that no rate of supply of water was fixed at the time when the water was being supplied to the staffs and officers and there was no contractor at that time because the tender was invited after the work. This fact substantiate the case of the Union/workmen that they had been employed by the management directly and there was relationship of employer and employee. He has admitted the payment sheets filed by the Union/workmen which are Annexure R/5 series. He has also admitted the work orders filed by the Union/workmen which are Annexure R-11 series. He has also admitted the direction dated 30-12-87 whereby it is stated that the payment be made to the water carrier workers through one contractor. The relevancy of all these documents have been discussed earlier. These documents clearly show that the alleged contract through contractors was sham and bogus and the water carrier workers are in the direct employment of the management.

17. The last management witness Shri Bipin Kumar is presently Superintending Engineer (C). He was Executive Engineer (Civil) at Ramnagar at the relevant time. He has also come to support the case of the management by saying the facts that Mangal Singh and Siya Saran were awarded contract for supply of drinking water who used to supply

water by engaging persons but the documents filed by the Union/workmen and the management have disclosed that the documents are antedated whereby the contract was alleged to have been awarded for supply of drinking water. The management witness Shri P.A.N. Murty has also stated that tender was invited when the work of supply of drinking water was completed. This itself shows that alleged contract was awarded to the contractors when the work was completed. Moreover Mangal Singh and Siya Saran had denied themselves that they were contractors rather they claim themselves as water carrier workers alongwith 24 others. In cross-examination, the management witness has stated that the office gave instruction to the workers as to how much quantity of water was to be given to which of the officer and the staffs and to whom water was supplied, they certified the quantity of water supplied to them for payment. This fact further shows that the work was controlled by the management. Thus it is evident that the alleged contract was sham and bogus and the water carrier workers were in direct employment of the management.

18. The management has also filed photocopies of documents in support of his case but these documents clearly show that it is only a paper work and there was no contractor for supply of drinking water. The management has filed photocopies of three tender committee recommendations which are marked as Annexures M/25, M/40 and M/47. Let us examine these tender committee recommendations. Annexure M/25 shows that the Committee recommended on 6-1-1994 i.e. in January 1994 for supply of water for the month of December 1993. This itself shows that without deciding the contractors, Shri Siya Saran and Mangal Singh supplied the water in the month of December 1993 without any basis for which payment was made. Moreover tender was invited on 3-1-94 and committee recommended on 6-1-94 but water was supplied earlier. These facts clearly show that it was a paper work and there was no contractor and the water carrier workers were in the direct employment of the management. Another two Tender Committee recommendations are Annexure M/40 and M/47. These recommendations also show that it is a paper work of the management and are created for the purpose of the reference case. The notice of tender for supply of drinking water to the staffs and officers quarter for the month of December 1998 was invited vide No. 208 dated 10-1-99 and No. 265 dated 10-1-99 and the tender was opened on 13-1-99 by the committee and thereafter the name of Mangal Singh and Siya Saran were recommended whereas the water was already supplied in the month of December 1998 itself by the water carrier workers. Thus these recommendations are nothing but paper works.

19. The management has also filed photocopies of work orders, bills, pay order and payment sheets which are Annexure M/1 to M/37 except M/25 which is Tender

Committee Recommendation. Some of these work orders, bills and payment sheets were also filed by the Union. The relevancy of those documents have already been discussed earlier. It is true that the above documents also bear the signature of Shri Mangal Singh and Siya Saran. It can be safely concluded that these signatures were obtained by the management on antedated documents because the management was dominating on the will of Shri Mangal Singh and Siya Saran who had signed on the threat of their employment. However, the documents clearly show that there is no contract and the workmen are in direct employment of the management.

20. Shri A. K. Shashi, learned counsel for the management urged that a case under Rule 25(2)(V)(a) of Cl. (R and A) Rule 1971 was filed by the Vice President of the Union before the Chief Labour Commissioner (Central), New Delhi which was transferred and was taken up by the Dy. Chief Labour Commissioner and was decided by him vide order dated 11-2-2000 wherein it is held that Shri Mangal Singh is a contractor and in the present reference case, the issue is same which appears to have been decided by the Authority under CL(R and A) Act.

21. It is true that a case was filed by the Union for similar wages for similar work and the Dy. Chief Labour Commissioner (Central), Mumbai passed an order on 11-2-2000 wherein he had held that :

"Then I can safely conclude that the whole contract is sham arrangement and workers are to be treated as directly employed by the Respondent Management. But I am not the Authority to decide accordingly. Hence I proceed further assuming that the workers involved in this issue are contract workmen."

This itself shows that the learned Dy. CLC(C), Mumbai had also concluded that the water carrier workers are in direct employment of the management and on assumption he had decided the wages. However he had rightly concluded that he had no authority to decide that the contract is sham arrangement. Thus I find that the reference is maintainable and the Tribunal has right to decide the reference.

22. Shri Shashi, learned counsel for the management further argued that two similar references were filed by the Unions which were numbered No. CGIT/LC/R/30/1986 and CGIT/IC/R/178/89. In these references, the awards were passed on 4-12-91 and 22-11-99 respectively. In these awards, the water carrier workman had claimed for regularization and for payment of wages in Category I. In these references, the then Tribunal held that the workman cannot be said to be the employee of the management as relevant documents were not filed to prove the case and the references were decided in favour of the management.

23. The learned counsel for the Union submits that both the references were of different collieries. CGIT/LC/R/30/86 was of Mohan colliery of WCL, Junnardeo, Distt.

Chhindwara and CGIT/LC/R/178/89 was of Eklehra Colliery of WCL, Pench Area, Chhindwara whereas the instant reference is of Ramnagar Colliery, Hasdeo Area. Moreover in those references on the basis of facts and evidence of the case, it was held that there was no relationship of employer and employees between the management and the water carrier workmen. Whereas in this reference, the facts and evidence are different and it clearly show that there is direct relationship of employer and employees on the basis of evidence adduced in the case.

24. Considering the discussion made above, I also find that there is sufficient evidence to establish that there is relationship of employer and employees between the management and water carrier workmen and there was no contract worth the name with Shri Mangal Singh and Siya Saran and with the management rather the management had created antedated documents to frustrate the claim of the workman.

25. Shri Shashi, Learned Counsel for the management argued that the claimants were not sponsored by the employment exchange nor employed by the management of SECL and as such they cannot seek to cut down the constitutional right of other persons employment. Right of persons temporarily engaged by way of stop gap arrangements cannot be read so as to defeat the constitutional right of equal opportunity. He referred decisions reported in :

1. 1998 (2) LLJ 627 Municipal Corporation, Bilaspur versus Veer Singh Rajput.
2. 1998 (2) LLJ 15, Himanshu Kumar Vidharthi and 2 Ors. versus State of Bihar and Ors.
3. 2007 (1) LLJ 236 State of Rajasthan versus Sarjeet Singh and Another.
4. 2007 (1) LLJ 1042 Accounts Officer (A and I) APSRTC and Ors. versus K. V. Ramana and 2 Ors.
5. 2007 (1) LLJ 262 Ajay Kumar Sharma versus Presiding Officer, Labour Court Nos. 1, 2 and Other.
6. 2005 S.C.C. 209, Binod Kr. Gupta and Ors. versus Man Ashru Mahto and Ors.

26. The Learned Counsel for the Union/workmen submitted that above decisions are not applicable in the instant case. It is submitted that the management case is that the workmen are not in his employment and they are employees of the contractors. There is no case of the management that these workmen are employed for a fixed period or as daily wagers or temporary or adhoc employees of the management de hors the rules and constitutional scheme. The Learned Counsel has relied a decision reported in 2010 (125) FLR 629 Anoop Sharma versus Executive Engineer, Public Health Division No. 1, Panipat wherein the Hon'ble Supreme Court held that :

"The judgment of the Constitution Bench in Secretary, State of Karnataka versus Uma Devi

(supra) and other decisions in which this Court considered the right of casual, daily wage, temporary and adhoc employees to be regularized/continued in service or paid salary in the regular time scale, appears to have unduly influenced the High Court's approach in dealing with the appellant's challenge to the award of the Labour Court. In our view, none of those judgments has any bearing on the interpretation of Section 25-F of the Act, and employer's obligation to comply with the conditions enumerated in that Section.

At the cost of repetition, we consider it necessary to mention that it was not the pleaded case of the respondent before the Labour Court and even before the High Court that the appellant was engaged/employed without following the statutory rules or Articles 14 and 16 of the Constitution and that was the basis for discontinuing his engagement. Therefore, the High Court was not justified in relying upon the alleged illegality of the engagement/employment of the appellant for upsetting the award of reinstatement."

27. The pleading of the management is only that the supply of drinking water to the staff and officers of the Ramnagar Colliery colony is through contractors. There is no other case that the water carrier workers are employed either temporarily or for a fixed period or on casual basis then the management cannot travel beyond his pleading. As has been discussed that the management has failed to prove that Shri Mangal Singh and Siya Saran are contractors for supply of drinking water to the staff and officers rather it has been established that they are also water carrier workers along with others and then the story of the union/workmen is to be accepted that they are in direct employment of the management specially because admittedly they are supplying water to the staff and officers since 1982 as has been claimed and are continuing even after reference.

28. Shri A. K. Shashi, Learned Counsel for the management cited a decision reported in 2010 (2) L.L.N. 184 Employees in Relation to management of "D" Ropeways of Bharat Cooking Coal Ltd., Bhulan Bararee Camp, Dhanbad, versus workmen, Bihar Colliery Kamgar Union, Dhanbad wherein the Hon'ble Jharkhand High Court held that :

"Thus I hold that neither there was relationship of employer and employee between the management and the concerned workmen nor the dispute raised was an industrial dispute. Even the nature of job performed by the concerned workmen was not of permanent nature, and therefore, the Tribunal committed error in directing regularization of the services of the concerned workmen."

It is submitted that these workmen are also water carrier workmen and the water system is pending and

therefore the work of water supply is not of permanent nature and they are not entitled to be brought on the roll of the management.

29. The Learned Counsel for the Union submitted that the said decision is not applicable because firstly in the instant case there is relationship of employer and employees and in the case subsequently the colony was closed and there was no work of supply of water. Moreover similarly situated water carrier workers were regularized and were brought on the roll of the management.

30. I also agree with the view of the Learned Counsel for the Union because in this case, it is established that the workmen are in direct employment of the management and there is relationship of employer and employee and the said colony is still in existence. Thus considering the entire evidence on record, I find that there is relationship of employer and employee between the management and water carrier workmen. Accordingly this issue is decided in favour of the Union/workmen and against the management.

31. Issue Nos. II and III

According to the Union/workmen, they are working as water carrier workmen since 1982 in the direct control of the management continuously and earlier similarly situated workmen are brought on the roll of the management and are getting salary of Category No. I Mazdoor. NCWA also covered workman employed for carrying water in category No. 1 unskilled Mazdoor whereas the management has denied that such workers are not regularized in Cat-I Mazdoor.

32. The Union has examined Shri Lagandhari. He worked from 1977 to 1982 as water carrier worker at Ramnagar Block No. 1 and supplied water with Kavar. He has stated that on 3-7-82, he alongwith 14 others were regularized as Mazdoor Category No. 1. Now he is working as Category IV. There is no denial by the management that he was not water carrier worker and was not regularized. This fact establishes that earlier the water carriers were regularized and brought on the roll of the management.

33. The Union has filed documents to show that those water carrier workers are getting pay as Cat-I Mazdoor who had been regularized earlier. The Union has filed last pay certificates of those workers which are Annexure R/3 (Paper No. 18 to Paper No. 24). The last pay slips show that Shri Hiralal and others are water carrier workers and they have been transferred to Jhimar Colliery from Ramnagar. They are getting pay of Category No. I. These pay slips further show that they are on the roll of the management. The Union has filed payment sheets which are annexure R/5 series. These payment sheets show that the present workmen are working continuously under the direct employment of the management and even they are working on holidays and are continuing even after reference on

piece rated basis. These payment sheets appear to have been admitted by the management because some of the payment sheets are also filed by the management. These sheets show that they are working as water carrier from a long period and deserves to be brought on the roll of the management. Moreover the earned Dy. Chief Labour Commissioner (Central) Mumbai in his order dated 11-2-2000 justified the fixation of wages of Category-I under NCWA.

34. The Learned Counsel for the Union has cited a decision reported in 2010 (II) LLJ 277 (S.C) Harjinder Singh versus Punjab State Ware Housing Corporation wherein the Hon'ble Supreme Court held that :

"Of late, there has been a visible shift in the Courts approach in dealing with the cases involving the interpretation of social welfare legislations. The attractive mantras of globalization and liberalization are fast becoming the *raison d'être* of the judicial process and an impression has been created that the constitutional courts are no longer sympathetic towards the plight of industrial and unorganized workers. In large number of cases like the present one, relief has been denied to the employees falling in the category of workmen, who are illegally retrenched from service by creating by lanes and side lanes in the jurisprudence developed by this court in three decades. The stock plea raised by the public employer in such cases is that the initial employment/engagement of the workman-employee was contrary to some or the other statute or that reinstatement of the workman will put unbearable burden on the financial health of the establishment. The Courts have readily accepted such plea unmindful of the accountability of the wrong doer and indirectly punished the tiny beneficiary of the wrong ignoring the fact that he may have continued in the employment for years together and that micro wages earned by him may be the only source of his livelihood. It need no emphasis that if a man is deprived of his livelihood, he is deprived of all his fundamental and constitutional rights and for him the goal of social and economic justice, equality of status and of opportunity, the freedoms enshrined in the Constitution remain illusory. Therefore, the approach of the Courts must be compatible with the constitutional philosophy of which the Directive Principles of State Policy constitute an integral part and justice due to the workman should not be denied by entertaining the specious and untenable grounds put forward by the employer-public or private."

It is submitted that similarly situated water carrier workers were brought on the roll of management as Mazdoor Category I and these workmen who have worked for a long time should be taken on the roll of the management specially in view of their continuous service.

35. Considering the evidence on record, it is clear that these water carrier workers are in the direct employment of the management of SECL for a pretty long time. Moreover, there was no contractor and thus the workmen are entitled to be taken on the roll of the management as previously the water carrier workers were brought on the roll of the management as Cat-I Mazdoor. The management is, therefore, directed to take them on the roll as Category-I Mazdoor with all monetary benefits. Accordingly, both the issues are decided in favour of the Union/Workmen and against the management. The reference is answered accordingly.

36. In the result, the award is passed without any costs.

37. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 699.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर पूर्व रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 31/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-2-2011 को प्राप्त हुआ था।

[सं. एल.-41012/07/2008-आई आर(बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 9th February, 2011

S.O. 699.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the industrial dispute between the employers in relation to the management of North East Railway and their workman, which was received by the Central Government on 8-2-2011.

[No. L-41012/07/2008-IR(B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT:

Dr. Manju Nigam, Presiding Officer.

I.D. No. 31/2008

Ref. No. L-41012/07/2008-IR (B-I) dated 13-5-2008

BETWEEN

Mandal Mantri
Purvottar Railway Shramik Sangh,
C/o Shri P. K. Tiwari,
96/196, Purana Ganeshganj,
Lucknow
(Espousing case of Shri Rangi Lal)

AND

1. Senior Section Engineer (Rail-Path)
Purvottar Railway,
Sitapur (U.P.)
2. Section Engineer (Rail-Path)
Purvottar Railway,
Lakhimpur
3. Avar Mandal Abhiyanta,
Purvottar Railway,
DRM Office,
Ashok Marg,
Lucknow

AWARD

1. By Order No. L-41012/07/2008-IR (B-I) dated 13-5-2008 and its subsequent corrigendum dated 4-6-2008, the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Mandal Mantri, Purvottar Railway, Shramik Sangh C/o Shri P. K. Tiwari, 96/196, Purana Ganeshganj, Lucknow (Espousing case of Shri Rangi Lal) and Senior Section Engineer (Rail-Path), Purvottar Railway, Sitapur (U.P.) and Section Engineer (Rail-Path) Purvottar Railway Lakhimpur and Avar Mandal Abhiyanta, Purvottar Railway, DRM Office, Ashok Marg, Lucknow for adjudication.

2. The reference under adjudication is :

"Whether the action of the management of Purvottar Railway in deducting wages from the pay of Sri Rangi Lal S/o Late Sri Satya Narayana, Senior Trakman on account of not present on duty from 13-10-2004 to 21-11-2004 is legal and justified? If not, what relief he is entitled to?"

3. The order of reference was endorsed to the opposite parties and to this Tribunal and accordingly on receipt of the same the case was registered but notice to the workman could not be issued due to reason that the address of the workman was not mentioned in the reference order dated 13-5-2008, as such, the Ministry was requested to make necessary corrections in the said reference order. The Ministry vide their corrigendum dated 4-6-2008 incorporated the address of the representative union and endorsed the copy of the same to the workman's union.

4. As per provision contained in the Rule 10 (B) of the Industrial Disputes (Central), Rules, 1957, the party

raising the dispute was required to file the statement of claim alongwith relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute but the workman's union failed to comply with the said requirement; and accordingly on receipt of the corrigendum order dated 4-6-2008, the notice was issued to the workman's union for filing their statement of claim alongwith relevant documents, list of reliance and witnesses with the Tribunal on 25-7-2008, but none turned up from workman's side. None appeared from workman on the successive dates i.e. on 12-9-2008 and 6-10-2008. On the next date fixed i.e. 14-11-2008 on Shri P. K. Tiwari in capacity of authorized representative of the workman's union, filed adjournment and sought time to file the statement of claim, and accordingly, 19-12-2008 was fixed for filing statement of claim. Again none appeared on behalf of the workman on 19-12-2008, 16-1-2009 and 6-3-2009. On 17-4-2009, Shri P. K. Tiwari again appeared and moved adjournment, seeking time to file statement of claim and he was granted last opportunity for filing the statement of claim on 22-5-2009. On 22-5-2009, the A/R of the workman's union again moved an application seeking adjournment which was allowed at the cost of Rs. 100/- and next date 24-7-2009 was fixed for statement of claim. On 24-7-2009, Shri Tiwari again requested for time to file the statement of claim and he was granted time for filing statement of claim at the cost of Rs. 100 and next date 18-9-2009 was fixed.

5. The opposite party was also issued registered notices vide order dated 24-7-2009 to appear on 18-9-2009; but none turned up on 18-9-2009 and on successive date i.e. on 23-10-2009. However, on 11-12-2009 Shri Rahul Nigam filed its authority for the opposite party. None appeared on 5-2-2010, 18-3-2010; whereas both the parties appeared on 26-5-2010 and next date was fixed for 25-6-2010 for filing of statement of claim. No statement of claim was filed even on 25-6-2010, 1-8-2010, 23-9-2010, 16-11-2010, 24-12-2010 and 28-1-2011; accordingly, the case was reserved for award.

6. From perusal of the records it is very much evident that after registration of the case on 23-5-2008, the authorized representative of the workman put up his appearance on 14-11-2008; and since then he has been seeking adjournments for filing statement of claim at one pretext or the other; but failed to file any statement of claim, even after lapse of considerable time of more than two years. Thus, failure of the workman's union in filing of the statement of claim indicates that the workman's union is not willing to contest its case any more.

7. In the above circumstances, it appears that the workman's union does not want to pursue its claim on the basis of which it has raised present industrial dispute; therefore, the present reference order is decided as if there is no grievance left with the workman. Resultantly no relief

is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

8. Award as above

Lucknow,
28-1-2011

Dr. MANJU NIGAM, Presiding Officer

नई दिल्ली, 9 फरवरी, 2011

का. आ. 700.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 [धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध गुजरात राज्य के चांगोदर गांव, जिला अहमदाबाद की संपूर्ण राजस्व, नगरपालिका एवं ग्राम पंचायत सीमाओं में प्रवृत्त होंगे।

[सं. एस-38013/23/2011-एस.एस. 1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 9th February, 2011

S.O. 700.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the entire Revenue, Municipal and Gram Panchayat limits of the village Changodar, District Ahmedabad in the State of Gujarat.

[No. S-38013/23/2011-S.S. I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 10 फरवरी, 2011

का. आ. 701.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्ग में, केन्द्रीय सरकार दिल्ली डेवलपमेन्ट ऑथोरिटी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 29/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-2-2011 को प्राप्त हुआ था।

[सं. एल. 42011/77/2009-आई आर(डी.यू.)]

डी. एस. एस. श्रीनिवास, डेस्क अधिकारी

New Delhi, the 10th February, 2011

S.O. 701.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/2010) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Delhi Development Authority and their workmen, which was received by the Central Government on 10-2-2011.

[No. L-42011/77/2009-IR(DU)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO. 1, KARKARDOOMA COURTS COMPLEX,
DELHI**

I.D. No. 29/2010

Smt. Sapna w/o Late Shri Subhash
Through Municipal Employees Union,
Agarwal Bhawan, G. T. Road, Tis Hazari,
Delhi-110054

... Workman

Versus

The Director,
Delhi Development Authority,
Vikas Sadan, INA Market,
New Delhi

... Management

AWARD

On 6-1-1983 one Shri Subhash was appointed on work charge basis by the Executive Engineer, Development Division IX, Delhi Development Authority (hereinafter referred to as the Authority). On his involvement in a murder case, he was arrested and as such could not attend his duties w.e.f. 3-4-1983. His unauthorized absence led the Authority to discontinue his services. He raised an industrial dispute, which was referred to a Labour Court, constituted by Government of N.C.T., Delhi. The Labour Court passed an award on 4-10-89, directing the Authority to reinstate his services. The Authority assailed award before High Court of Delhi, by way of a writ petition, but it could not succeed. Shri Subhash was reinstated in service by the Authority, vide order dated 3rd of June, 2003. On 13th of February, 2007, Shri Subhash died in harness. He was survived by his wife and five sons. Smt. Sapna, his wife, raised a demand for compassionate appointment. Since her demand was not conceded to, she approached Municipal Employees Union (hereinafter referred to as the Union) for redressal of her grievances. The Union raised an industrial dispute before the Conciliation Officer. Since the Authority resisted the claim, conciliation proceedings resulted into a failure. Conciliation Officer submitted his

failure report to the appropriate Government. On consideration of the failure report, so submitted, the appropriate Government declined to refer the dispute for adjudication, vide order dated 25-3-2010. The Union made a representation and on reconsideration of its decision dated 25-3-2010, the appropriate Government decided to refer the dispute to this Tribunal for adjudication. Consequently, vide order No. L-42011/77/2009-IR (DU), New Delhi dated 17th of May, 2010, the appropriate Government referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the demand of the Municipal Employees Union for grant of compassionate appointment to Smt. Sapna, legal representative of late Shri Subhash by the management of Delhi Development Authority is legal and justified? If yes, what relief the claimant is entitled to?”

2. Claim statement was filed by the Union pleading therein that Shri Subhash joined service with the Authority in 1979 as a daily wager. His services were regularized w.e.f. 6-1-83. The Authority terminated his services, resultantly an industrial dispute was raised before Labour Court constituted by Government of N.C.T., Delhi. Labour Court passed an award dated 4-8-89 declaring that Shri Subhash was entitled for reinstatement with continuity of service and full back wages. Shri Subhash was reinstated. He expired on 13-2-2007, leaving behind Smt. Sapna, his widow and Amit, Sonu, Sachin, Gaurav and Shiva, all sons. After death of Subhash, Smt. Sapna approached the Authority for compassionate appointment. It has been claimed that after death of Shri Subhash, survivors have reached on verge of starvation. Smt. Sapna is eligible for appointment on compassionate grounds on group “D” post. A claim has been made by the Union that this Tribunal may declare that Smt. Sapna is entitled for appointment as group “D” employee, on compassionate grounds.

3. The Authority demurred the claim pleading that Smt. Sapna was never an employee, hence she is not a workman within the meaning of clause (s) of Section 2 of the Industrial Disputes Act, 1947 (in short the Act). It has been agitated that no industrial dispute came into existence, either under clause (k) of Section 2 or under Section 2-A of the Act. It has been projected that she is not the wife muchless a legally wedded wife of late Shri Subhash. However, facts relating to employment of Shri Subhash on work charge basis w.e.f. 6-1-83 are not disputed. It has been projected that Shri Subhash came in conflict with law and was arrested in a murder case. His services were dispensed with, when he did not report for his duty w.e.f. 3-4-83. Fact relating to raising of an industrial dispute before a Labour Court, constituted by Government of N.C.T. Delhi, and adjudication of that dispute vide award dated 4-8-89 are not disputed. It has been projected that when writ petition filed by the Authority came to be dismissed.

Shri Subhash was reinstated in service on 3rd of June, 2003. No issue was raised by the Authority on the proposition that on 13-2-2007 Shri Subhash died in harness. The Authority projects that the claimant, namely, Smt. Sapna is not a legal heir of Shri Subhash, hence not entitled for compassionate appointment. A prayer has been made that claim statement may be discarded, being devoid of merits.

4. On pleadings of the parties, following issues were settled :

- (1) Whether the claimant was a legally wedded wife of Shri Subhash, who expired on 13-2-2007 ?
- (2) Whether conditions of policy of compassionate appointment are satisfied by Smt. Sapna widow of Subhash ?
- (3) As in terms of reference.
- (4) Relief.

5. Smt. Sapna (WW1) and Shri Surender Bhardwaj (WW2) were examined to substantiate the claim. Shri J. N. Gupta (MW1) and Shri Manoj Kumar Sharma (MW2) were examined by the Authority, to project its defence.

6. Arguments were heard at the bar. Shri Modh. Farrukh, authorised representative, advanced arguments on behalf of the Union. Ms. Raavi Birbal, authorised representative, assisted by Shri Manoj Kumar Sharma, Executive Engineer, raised submissions on behalf of the Authority. I have given my careful considerations to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved the controversy are as follows :

Issue No. 1

Smt. Sapna swears in her affidavit Ex. WW1/A that her husband, namely, Shri Subhash, expired on 13-2-2007, who was survived by her and Amit, Sonu, Sachin, Gaurav and Shiva, all sons. During the course of her cross-examination she projects that she moved an application for compassionate appointment with the Authority, since her husband died in harness. She asserts that she was married to Shri Subhash about 12-14 years ago. She was 16-17 year old at that time. It was her customary marriage. Four children were born out of first marriage of her husband and one child was born out of her wedlock with Shri Subhash. When she married Shri Subhash, at that time his first wife had expired.

8. Shri J. N. Gupta deposed that while in service Shri Subhash never informed the Authority about his marriage with Sapna. He went on to unfold that he had not filed any nomination form in respect of his provident fund etc., declaring Smt. Sapna as his wife. He concedes that after his death, Smt. Sapna approached the Authority claiming herself to be widow of Shri Subhash. In 2009, she

moved an application for compassionate appointment, which was supported by photocopy of ration card wherein she has been projected as widow of Shri Subhash.

9. As claimed, Smt. Sapna married Shri Subhash about 14 years ago. At that time first wife of Shri Subhash had expired. Her marriage took place in accordance with customs prevalent in their community. No evidence worth name has emerged as to which faith Smt. Sapna profess. By her name and name of her husband, every presumption lies in favour of the fact that they are Hindus. Provisions of Hindu Law are to be considered to find out as to whether marriage between Sapna and Subhash was legal and valid. According to tenets of Hindu Law marriage between man and woman is of religious or holy character and not a contractual union. Marriage is a sacrament, hence sacrosanct. Hindu Marriage Act, 1955 (in short the Marriage Act) has reformed Hindu Law on marriage. Sections 5, 7, 11 and 12 of the Marriage Act, are pertinent provisions. Section 5 deals with conditions for marriage. Bigamy is prohibited by clause (i), which includes both polygamy and polyandry. Section 11 makes a bigamous marriage void and Section 17 makes it penal for both Hindu male and female under Section 494 and 495 of the Penal Code. Clause (ii) of the said section deals with mental capacity, clause (iii) lays down that at the time of marriage groom should have completed the age of 21 years and bride the age of 18 years. The age of marriage and soundness of mind relate to consensual element for marriage. If marriage is looked upon as a contract consent of both parties is a condition precedent to marriage. A contract entered into by a minor or a person of unsound mind is void, as declared by Section 11 of the Contract Act, 1872. But marriage is not regarded as a contract. Consequently marriage of a person who is of a unsound mind is a valid marriage under the Marriage Act. Not merely this, violation of requirements of clauses (ii) and (iii) does not render the marriage void. Under Section 12, violation of the former requirement renders marriage merely voidable while violation of the latter condition does not render the marriage void or voidable, the marriage, if performed, is a perfectly valid marriage. Even after enactment of the Marriage Laws (Amendment) Act, 1976, which has reframed clause (ii) of the said section, the Marriage Act does not say that a valid consent is necessary for marriage. Thus it is amply clear that the Marriage Act does not consider the question of consent as of much importance. A marriage without consent is valid.

10. Section 7(1) of the Marriage Act enacts that a marriage may be solemnized in accordance with the customary rights and ceremony of either party thereto. Sub-section (2) of the said section lays down that when such rights and ceremonies include the saptpadi, the marriage becomes complete and binding when the seventh step is taken. Therefore, the ceremony and rites, which are to be performed, fall under two heads (a) the shastric ceremonies and rites as prescribed by Hindu Law, or (b)

the customary ceremony and rites which prevail in the cast or community to which one of the parties (or both) belongs. Thus the shastric ceremonies and rites are still necessary. These can be dispensed with only if one of the parties to the marriage establishes that customary ceremony is prevalent in his/her community in substitution of the shastric ceremony. If customary ceremony is prevalent on the side of the either party, its performance will be enough for the validity of the marriage. Customary ceremony may not include any one of the shastric ceremonies, such as kanyadana, panigrahan, vivahahoma and saptpadi.

11. A customary ceremony may be totally non-religious or very simple ceremony. For instance, among Santhals smearing of vermilion by bridegroom on the forehead of the bride is the only essential ceremony. Among the Nayahans of the South India, the only ceremony necessary is the tying of a vadu veeta thali into the neck of the bride, which completes customary ceremony for the marriage. Similarly, pat marriage (the marriage of a widow) is valid marriage in approved form. In chadar andazi marriage among the Jats no other ceremony is necessary. In karewa marriage, which is prevalent among lower castes of Hindus, no ceremony is necessary, if parties live together as husband and wife with an intention to live as such that is enough for the validity of the marriage.

12. As testified by Smt. Sapna, when she married Shri Subhash he was having no spouse living at that time. Smt. Sapna was aged about 16-17 years the time of her marriage. Her marriage was performed in accordance with customary ceremonies. No eye brows were raised by the Authority that marriage of Sapna was not performed with Shri Subhash in accordance with customary ceremonies. Admittedly, Shri Subhash and Sapna belong to a lower caste. In their caste Karewa marriage is also a valid marriage. Galanding each either is also a form of marriage prevalent in lower castes of Hindus. When testimony of Sapna that she married Shri Subhash according to customary ceremonies has not been dispelled, it establishes that she validly married Shri Subhash about 14-15 years ago. She could discharge the onus and prove herself to be legally wedded wife of deceased Shri Subhash. On the other hand, Shri Manoj Kumar Sharma concedes that all retiral benefits of Shri Subhash were released in favour of Smt. Sapna. By releasing retiral benefits in favour of the lady, the Authority had dispensed with its objection relating to the validity of marriage of Sapna with deceased Shri Subhash. In view of these facts it is concluded that Smt. Sapna is legally wedded wife of deceased Shri Subhash. The issue is, therefore, answered in favour of the claimant and against the Authority.

Issue No. 2

It is not a matter of dispute that the Authority has a policy of compassionate appointments. The circumstances,

in which appointment on compassionate grounds may be made, are as follows :

- (i) When servants of the Authority lose their lives in the course of duty or get so crippled that they cannot do any work.
- (ii) When employee of the Authority die in harness while in service before retirement.
- (iii) When employees of the Authority commit suicide.
- (iv) When an employee's whereabouts are not known, for a period of seven years and the settlement of dues of the employees are or are not paid to the family on this account. This limit of seven years may be relaxed to three years by the Vice-Chairman, of the Authority subject to the condition that the service of the person appointed on compassionate grounds would be terminated in case the missing employee is traced subsequently.
- (v) In exceptional cases when a Department is satisfied that the condition of the family is indigent and in great distress the benefit of compassionate appointment may be extended to widow/son/daughter/near relative of a servant of the Authority retired on medical grounds before attaining the age of 55 years. In case of Group 'D' employees whose normal age of superannuation is 60 years, compassionate appointment may be considered where they are retired on medical grounds before attaining the age of 57 years.

14. Persons, eligible to be appointed on compassionate grounds, are son, daughter, widow or widower. Compassionate appointment can be given on group 'C' or a group 'D' posts, against direct recruitment quota. Applicants for compassionate appointments should be appointed only if they are eligible and suitable for the post in all respect under the provisions of the Recruitment Rules. However, upper age limit can be freely relaxed on merit of the case. On consideration of merits of an individual case relaxation of minimum educational qualification can also be granted. Procedure which shall be followed by the Authority for compassionate appointment, has been detailed as follows :

- (a) In case widow/son/daughter/near relative applies for appointment, they will be asked to apply for the same in the prescribed format in English/Hindi version both. They will also be supposed to fulfil the code/formalities/documentary formalities as required and contained in the letter which also be supplied to them which is framed in Hindi version. After

completion of the prescribed format for compassionate appointment, the case of the applicant will be enrolled in the Registers maintained for the purpose of seniority/consideration of the Screening Committee indicating the details (seniority for the purpose of consideration of case for compassionate appointment will be taken from the date of filling of application). The Welfare Department will also perform the role and conduct the physical verification to assess the financial status of the applicant and verify the contents tendered by the applicant.

- (b) The candidates applying for appointments on compassionate grounds should be subject to a suitability test by a Screening Committee. The suitability of those proposed to be appointed on compassionate grounds should be properly assessed by a strict test. In case the candidate has the necessary minimum qualification for employment in a Group 'C' post, his suitability for all types of Group 'C' posts in the order of suitability, should be judged and recorded by the Screening Committee, which should also clearly indicate the categories for which the candidate has not been considered suitable. Final offer of appointment will, however, be subject to the availability of vacancies, passing of medical examination, production of necessary certificates etc.
- (c) It is not necessary the ward of a Group 'D' employee should be appointed on Group 'D' post only. If such a ward possesses the required qualification prescribed for Group 'C' posts and is also adjudged suitable for the post, he should be considered for such Group 'C' posts.
- (d) All cases of compassionate appointments needs to be dealt with on top priority basis.

A final decision on the application should invariably be taken within 60 days of the receipt of the application duly completed.

- (e) While giving intimation for non-acceptance of the request for compassionate appointments, reasons for rejection should be indicated in the communication to the applicant, but the level of rejection need not and should not be communicated.
- (f) The cases referred to Screening Committee for approval should contain full details as required in the application form".

15. The object of the policy to grant appointment to a dependent family member of an employee dying in harness

or who retired on medical grounds, thereby leaving his family in penury and without means of livelihood. The policy is to relieve the family of the employee concerned from financial destitution and to help it get over the emergency. Appointment on compassionate grounds are to be made in such a way that persons appointed to the post do have essential educational and technical qualifications and experience required for the post. An application for compassionate appointment is not to be rejected merely on the ground that the family of the employee has received the benefits under various welfare schemes. While considering a request for appointment on compassionate grounds, a balanced and objective assessment of financial condition of the family has to be made, taking into account its assets and liabilities (including the benefits received in various welfare schemes) and all other relevant factors such as number of earning member, size of the family, age of the children and the essential needs of the family. Compassionate appointment should be made available to the person concerned, if there is a vacancy and he or she is found eligible and suitable under the policy. An application for compassionate appointment, consequent on death of a group "D" staff, is to be considered with sympathy, by applying relaxed standards, depending on facts and circumstances of the case. Such appointments are to have precedence over absorption of surplus employees and regularization of daily wage casual workers.

16. The Apex Court in *G. Anantha Rajeshwari Rao* [1994 (1) SCC 192] had considered the scheme of compassionate appointments formulated by the Government of India and ruled that appointment on grounds of descent clearly violates Article 16(2) of the Constitution, but if the appointment is confined to the son or daughter or widow of the Government servant who died in harness, who need immediate appointment on the ground of immediate need of assistance in the event of there being no other earning member in the family to supplement the loss of income from the bread winner to relieve the economic distress of the members of the family, it is unexceptionable. Again in *Umesh Kumar Nagpal* [JT 1993 (3) SC 525], the Apex Court considered the scheme and laid down following principles in that regard :

- (1) Only dependents of an employee dying in harness, leaving his family in penury and without any source of livelihood, can be appointed on compassionate grounds.
- (2) The posts in group "C" and "D" are the lowest posts in non-manual and manual categories and hence, those posts alone can be offered on compassionate grounds.
- (3) The whole object of granting compassionate appointments is to enable the family to tide over the sudden crisis and to relieve the family of the

deceased from financial destitution and to help it get over the emergency.

- (4) Offering compassionate appointments as a matter of course, irrespective of financial condition of the family of the deceased or medically retired Government servant, is legally impermissible.
- (5) Neither the qualification of the applicant (dependent family member) nor the post held by the deceased or medically retired Government servant is relevant. If the applicant finds it below his dignity to accept the post offered, he is free not to accept it. The post is not to be offered to cater his status but to see family through the economic calamity.
- (6) Compassionate appointment cannot be granted after lapse of a reasonable period and it is not a vested right which can be exercised at any time in future, and
- (7) Compassionate appointment cannot be offered by an individual functionary on an ad hoc basis.

17. In *Asha Ram Chander Ambedkar and others* [JT 1994 (2) SC 183] the Apex Court ruled that the High Courts and Administrative Tribunals cannot give directions for appointment of a person on compassionate ground but can merely direct consideration of the claim for such appointment. In *Dinesh Kumar* [JT 1996 (5) SC 319] and *Smt. A. Radhika Therumalai* [JT 1996 (9) SC 197] it was announced that appointment on compassionate ground can be made only, if a vacancy is available for that purpose. In *Rani Devi and others* [JT 1996 (6) SC 646] it was ruled that if the scheme relating to appointment on compassionate ground is extended to all sort of casual, ad hoc employees, including those who are working as apprentice, then the scheme cannot be justified on constitutional grounds.

18. Cantena of decision were considered by the Apex Court in *Mohd. Rajodian* [2003 (7) SCC 511] and it was laid therein that the purpose of providing compassionate appointments is to mitigate the hardship, caused due to sudden death of the bread winner in the family. It is to relieve the distress of the family that such appointments are made. But these considerations cannot operate when the application is made after a long delay. In *Ankur Gupta* [2003 (7) SCC 704] the Apex Court reiterated that appointment on compassionate grounds cannot be claimed as a matter of right. In *Somveer Singh* [2007 (4) SCC 778] it was laid that appointment on compassionate ground is an exception carved out of the general rule that recruitment to public service is to be made in a transparent and acceptable

manner, providing opportunity to all eligible persons to participate in the selection process. Such appointments are required to be made on the basis of open invitation of applications and merit. Dependents of employees who died in harness do not have any special or additional claim to public service other than the one conferred if any, by the employer. The claim for compassionate appointment and the right, if any, is traceable only to the claimant, out of the executive instructions, rules etc. framed by the employer in the matter of providing employment on compassionate grounds. There is no right of whatsoever nature to claim compassionate appointments on any ground other than the one, if any, conferred by the employer by way of schemes or instructions, as the case may be. The Court made it clear that the whole object of granting compassionate employment is thus to enable the family to tide over the sudden crisis. The object is not to give a member of such family a post much less than the post held by the deceased. In *M. T. Latheesh* [2006 (7) SCC 350], the Apex Court cautioned that indiscriminate grant of employment on compassionate grounds would shut the door for employment to the ever growing population of an unemployed youth.

19. Now factual matrix of the controversy are to be addressed. As projected by *Smt. Sapna*, her husband expired in harness. She is legally wedded wife of *Shri Subhash*. Other dependents of *Shri Subhash* had given no objection in her favour for her appointment to a group 'D' post. There is no dispute to the proposition that after death of *Shri Subhash*, *Smt. Sapna* and other family members reached stage of starvation. Therefore, it is evident that *Smt. Sapna* could establish all requirements for her appointment to a group 'D' post on compassionate grounds. *Shri J. N. Gupta* and *Manoj Kumar Sharma* project that case of *Smt. Sapna* had been recommended for compassionate appointment. They concede that other legal heirs of *Shri Subhash* have not moved any application for compassionate appointment. They filed affidavits giving no objection in favour of *Smt. Sapna* for compassionate appointment. Therefore, admission of fact so made by these two witnesses make it clear that *Smt. Sapna* could satisfy all conditions laid down in policy of compassionate appointment, for her appointment to a group 'D' post. On 3-12-2010 her application for compassionate appointment has been recommended. Consequently, the issue is answered in favour of the claimant and against the Authority.

Issue No. 3

20. Though the Authority raised issue that no industrial dispute was referred by the appropriate Government as defined by clause (k) of Section 2 of the Act for adjudication, yet during the course of adjudication it was not passed. However, I consider it expedient to assess

whether an industrial dispute was referred. Therefore, definition of industrial dispute given in clause (k) of Section 2 of the Act is to be scanned. Said definition is reproduced thus :

“Industrial dispute” means any dispute or difference between employers and employees, or between employers and workman, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person.”

21. The definition of the word “industrial dispute” referred above can be divided into four parts viz. (i) factum of dispute, (ii) parties to the disputes, viz. (a) employers and employees (b) employers and employees or (c) workmen and workmen, (iii) subject matter of the dispute, which should be connected with (i) employment or non-employment, or (ii) terms of employment, or (iii) conditions of labour of any person, and (iv) it should relate to an “industry”.

22. The definition of the word “industrial dispute” is worded in wide terms and unless it is narrowed by the meaning given to the word “workman” it would seem to include all “employers”, “all employments” and “all workmen” whatever nature of the scope of the employment may be. Therefore except in the case where there can be dispute between the employer and employees and workmen and workmen, one of the parties to an industrial dispute must be an employee or a class of employees. The first point, therefore, to be noted, perhaps self evident, is that the phrase “employer and workmen, the plural may include singular on either side, or any permutation of singular, the masculine including the feminine. In order, therefore, to determine as to whether a controversy or difference or a dispute is an ‘industrial dispute’ or not it must be determined whether the workman concerned or workmen sponsoring his case satisfy the conditions of clause (s) of Section 2 of the Act”.

23. In *Kyas Construction Company (Pvt.) Ltd.* [1958 (2) LLJ 660] Apex Court ruled that an industrial dispute need not be a dispute between the employer and his workman and that the definition of the expression “industrial dispute” is wide enough to cater a dispute raised by the employer’s workman with regard to non-employment of others, who may not be employed as workman at the relevant time. Hence in order to acquire character of an industrial dispute, a dispute or difference must relate to either the employment or non-employment or the terms of employment or the conditions of labour of any person. Reference can be made to a precedent in *State Bank Staff Union (Madras Circle)* [1991 (1) LLJ 163].

24. As is evident, a dispute has been raised by the Union relating to terms of employment or with the conditions of labour of deceased Shri Subhash. The Union adapted the dispute on 2-10-2008, when resolution Ex. WW1/5 was passed in that regard. Thereafter, the Union filed a case before the Conciliation Officer. All these facts make it clear that an industrial dispute was raised by the Union relating to terms of employment of deceased Shri Subhash as well as non-employment of his wife, when he died in harness. Objection raised by the Authority that no industrial dispute was raised, is unfounded.

25. The claimant could project that after death of her husband she reached the stage of starvation. Her family needs support. She could project her eligibility for appointment to a group “D” post. On the other hand her application for appointment to group “D” post has been recommended, as testified by Shri Manoj Kumar Sharma, Executive Engineer. Considering all these facts it is evident that the Authority is taking every step to grant application of Smt. Sapna for her compassionate appointment to a group “D” post. Considering all these facts, the demand raised by the Union for compassionate appointment of Smt. Sapna on a group “D” post is found to be legal and justified. Issue is, therefore, answered in favour of the claimant and against the Authority.

Relief

26. Ms. Raavi projects that this Tribunal should ask the Authority only for consideration of application of Smt. Sapna for compassionate appointment. She projects that no command should be given in that regard. She places a reliance on a precedent in *Ram Kesh Yadav* [2007 (9) S.C.C. 531] wherein the Apex Court concluded that an employer cannot be permitted to act contrary to the terms of its policy governing compassionate appointment nor compassionate appointment be permitted de hors the policy. The precedent relied is not applicable to the facts of the present controversy since Smt. Sapna does not claim her compassionate appointment de hors the rules or policy. Her application was considered and then recommended. It is not the case that there is no vacancy for her appointment. When there is a recommendation in her favour, in that situation discretion cannot be left to the Authority to brush it aside on whims. Taking into account all these facts the Authority is commanded to appoint Smt. Sapna on a group “D” post on compassionate grounds, on availability of a post for her in that regard. An award is, accordingly, passed. It be sent to the appropriate Government for publication.

Dated : 30-12-2010

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 10 फरवरी, 2011

का. आ. 702.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डिपार्टमेंट ऑफ टेलीकॉम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 57/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-2-2011 को प्राप्त हुआ था।

[सं. एल. 40012/183/2002-आई आर(डीयू)]

डी एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th February, 2011

S.O. 702.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 57/2003) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1 Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 10-2-2011.

[No. L-40012/183/2002-IR(DU)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR, COURT-I,
CHANDIGARH**

Case No. I.D. 57 of 2003

Prem Singh son of Shri Amar Singh, resident of Jamni, Tehsil Safidon, District Jind, Haryana ... Applicant

Versus

1. The Executive Engineer, BSNL (Electrical Wing), Ambala Cantt. (Haryana) ... Respondent

APPEARANCES:

For the workman : Shri Arun Batra

For the management : Shri G.C. Babbar

AWARD

Passed on 27-1-2011

Central Govt. Ministry of Labour vide letter No. L-40012/183/2002-IR(DU) dated 11th of March, 2003 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Department of Telecom, Safidon, in terminating the services of Prem Singh Son of Shri Amar Singh, Generator Operator w.e.f. 15-7-2000 is just and legal? If not, to what relief the workman is entitled to?”

The case of the workman as per his claim petition in nutshell is that he was appointed as peon cum generator operator in Tele Communication Department by Sub-Divisional Officer, Telephones Safidon on 5-4-1992 on daily wages basis @ Rs. 50/- per day. He was paid consolidated salary of Rs. 1500/- per month. The management was obtaining his signatures on Rs. 2500/- but in fact was paid Rs. 1500/- per month. He was working with the department sincerely. Apart from the working on generator operator, he was entrusted with other work of the peon. His services were terminated without disclosing reason, without any notice or one month wages in lieu of notice and without payment of retrenchment compensation on 15-7-2000. He has completed 240 days of work in the preceding year from the date of termination. Juniors to him were retained in service. Fresh hands were also engaged after his termination which make his termination illegal. On the basis of the above facts the workman has prayed for setting aside of the termination order with consequential order for reinstatement in service with all other benefits.

Management appeared and opposed the claim by filing written statement. Preliminary objection has been raised in para No. 1 of the written statement that relief is not against SDO Safidon but claimed against SDO Ambala, hence the reference is not maintainable. Another objection has also been raised that workman was not engaged by the management of telecommunication department at any point of time. He has not served with the department. Contract for maintenance was given to M/s. Patiala Agency Jind vide contract No. 21/AEE/E/JD/99-2000 for the period 7-9-99 to 6-3-2000 and again for the period 27-4-2000 to 11-9-2000 vide contract No. 3/AEE/E/JD/2000-2001. On the basis of the above facts the management has also stated that there is no master and servant relationship between the management and the workman.

Parties were afforded the opportunity for adducing evidence. The evidence of the workman Prem Singh was recorded in open court on 20-7-2010. On behalf of the management, evidence of Shri Ram Bhaj, SDO Safidon and Shri Baljit Singh, SDE(E) Electrical Divisional BSNL, Jind was recorded. Documents relevant to the contract for the above mentioned period have been filed by the management. On behalf of Prem Singh, Workman original log book for the period he worked with the management has been filed.

I have heard the parties at length.

On perusal of the material on record, it will be proper to adjudicate the preliminary objection raised by the management of telecommunication. The preliminary objection is that the claim is against the management of department of telecommunication, Ambala, Safidon and not against the Executive Engineer, BSNL Electricity Division Ambala which at present is at Rohtak. After hearing the parties, this Tribunal adjudicated this preliminary

objection on 10-8-2010 impleading the parties from Ambala and Safidon which falls in the jurisdiction of Rohtak at present and allowing them the right to hearing. After the termination of the services of the workman, as informed orally by the learned counsel for the parties, there has been some administrative changes in the jurisdiction of some offices. This administrative change cannot deny the lawful claim of the workman. Hence adopting the liberal and positive attitude for justice delivery, away from the technicalities, this Tribunal has directed the parties to present their view point before this Tribunal. Accordingly, all the parties were heard. At present there is no force in the preliminary objection because the same has already been answered by this Tribunal vide order dated 0-8-2010.

Now the question arises, whether there exists master and servant relationship between the management of telecommunication department and the workman? The issue of master/servant relationship has elaborately been dealt with by the Hon'ble Apex Court in Steel Authority of India Ltd. and others Vs. National Union Water Workers and others AIR 2001 Supreme Court 3527 (1). Thereafter, Hon'ble High Court of Punjab & Haryana relying upon the ratio of judgment of Apex Court in Steel Authority of India Ltd.'s case, elaborately discussed this issue in Food Corporation of India Vs. Presiding Officer, CGIT, Chandigarh and others 2008 LLR 391.

Hon'ble Apex Court in 2008 has also discussed this issue in GM ONGC Silcher Vs. ONGC Contractual Workers Union 2008 LLR 801. If the ratio of the above mentioned judgments is applied in the present case, to prove direct relationship with the management, a workman has to prove the following facts :

1. That the workman was directly engaged by the management of telecommunication department.
2. That the services of the workman were under the administrative control and of the department and not by any 3rd Party.
3. There was no 3rd person (contractor) in between the workman and the management.
4. That the payment of wages were made good by the management directly and not through any contractor.

I have gone through the entire materials on record. It is specifically pleaded by the workman that he was engaged by the management as generator operator-cum-peon on 5-4-92 and his services were terminated on 5-7-2000. The management has not specifically denied his period but has denied this fact for want of knowledge. Moreover, the contention of the management that services of the workman were provided with to the management through contractor does not find favour by the documents provided by the management. The documents relating to the contract for supply certain labour is for the period

7-9-99 to 6-3-2000 and 27-4-2000 to 11-9-2000. Meaning thereby, there was no contractor in between the workman and the management from 5-4-92 to 6-9-99. The complete documents relating to the supply of labour to the management by the contractor like payment of wages by the management to the contractor and thereafter payment of wages by the contractor to the workman in presence of any official of the telecommunication department have not been filed. Thus, it seems to be a casual defence by the management because the related documents for the entire period in question have not been filed. On the other hand, the workman has filed the log book of the period he worked with the management barring few months. It is an old document and the way it is maintained prima facie there seems to be no doubt about its genuineness. Even entries contained the signatures of the workman, the purpose of work is written in English by some other person. As per the contention of the workman, this endorsement has been made by SDO Electricity Safidon. Entire log book contained seal of department on every page. In fact the entire register was sealed in a similar way after its proper pagination. It is the strong circumstance to prove the contention of the workman that this logbook was prepared by him when he was in the employment of the management in course of his business with the management. Not a single question by the management has been asked to the workman regarding genuineness of this document. The witness of the management Shri Ram Bhaj has denied the working of the workman with the management at any point of time. Surprisingly, he knows the workman personally. The reason mentioned by the witness of knowing the workman is that the village of the workman is about 20 Kms. away from the village of the witness and this is the reason of knowing the workman. This statement of the witness cannot be relied upon because in the ordinary course of nature it is not possible for a man of prudence to recognize every person resides within 20 Kms. from his residence. Moreover, the Tribunal has also recorded the demeanour of this witness and on one query the witness has angrily asked the workman when he has asked the workman to maintain the document? This demeanour shows that the witness has accepted the presence of the workman in department while this witness was working in the same department. Another witness of the management MW2 Baljit Singh has not specifically denied this fact. On every fact he has stated, he does not know, he does not know, he does not know. Thus, the statement of the witness MW2 cannot be relied upon because he has no knowledge regarding the working of the workman in the department of telecommunication.

From the above discussion it is clear that very strong evidence has been filed by the workman to prove that he was working with the management. Naturally, all the documents relating to attendance, payment of wages are/were lying with the management. The management was directed vide order dated 6-5-2010 to file the entire documents, but no document was filed. Accordingly, adverse

inference is taken by this Tribunal. It is hereby made clear that prima facie, workman has proved by filing the original log book that he had worked with the management. Now the burden is on the management to prove by filing the documents relating to the attendance and payment to the workman and the management has failed to file the documents even after directions by this Tribunal vide order dated 6-5-2010. Accordingly adverse inference is drawn against the management.

I have discussed above that Hon'ble Apex Court in two judgments in Steel Authority of India's case (Supra) and ONGC Silchar's case (Supra) and the Hon'ble High Court of Punjab & Haryana in Food Corporation of India's case (supra) have specifically mentioned in the conditions under which a workman can be held direct employee of principle employer.

In this case the workman has pleaded that he was working with the management under its administrative control. No doubt, he fails to file any document relating to payment of wages, the record of which are lying with the management and the management also failed to produce the same. Thus, it will be considered and presumed that the wages were made good by the management directly to the workman. Moreover, the documents filed by the management are not of relevant period. Admittedly no notice, one month pay in lieu of notice and retrenchment compensation was paid to the workman at the time of his termination which makes his termination illegal. I am not considering other pleas taken by the workman because that has not been proved. The workman has also contended that the persons juniors to him were retained/engaged in service after his termination but he failed to provide the names, address of the persons said to be retained/engaged after his termination.

This issue is proved beyond doubt that workman was engaged by the management directly and he was under the administrative control of the management and he was paid wages directly by the management. He has completed 240 days of work proceeding to the date of termination and his termination was illegal being against the provisions of the I.D. Act 1947.

When the termination is declared illegal, there are two possible remedies. First is reinstatement in service and another is reasonable compensation. Considering the recent trend of service jurisprudence, priority should be given to protect the right to work. In exceptional circumstances, where it is not possible to reinstate the workman, reasonable compensation should be awarded in lieu of reinstatement. The workman is overaged now. It is not possible to reinstate him in the services. To the notice of this Tribunal, when the workman was engaged in the year 1992 he was 40 years of age. This Tribunal has also interacted with the workman personally and is of the view that because of his age it is not possible to reinstate him in

the services. Thus, on account of his illegal termination, compensation is the only remedy.

This Tribunal should not award the compensation without considering the facts which leads to determine the reasonable compensation. The factors are, age of the workman, wages he was getting at the time of his termination, the length of service with the management, amount of retrenchment compensation and interest thereon, one month wages in lieu of notice and interest thereon and considering the present economic trend of inflation. This Tribunal should be sensitized for socio economic scenario of society, while determining the compensation. A particular article at present has increased to about 20 times than it was available at the time the workman was working with the department. More over the cost of litigation should also be considered because the workman was dragged into litigation by the illegal act of the management. Considering all the above facts, a compensation of Rs. 300000 (Three lakhs only) is determined in lieu of reinstatement. In my view this amount will be reasonable to meet the ends of justice. The management is directed to pay the above amount within one month from the date of publication of the award. If the management fails to pay the amount within one month from the date of publication of this award, workman shall also be entitled for the interest calculated at the rate of 7% per annum from the date of filing the claim petition till the final payment. Central Govt. be informed. File be consigned thereafter.

Chandigarh

G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 फरवरी, 2011

का. आ. 703.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में केन्द्रीय सरकार डिपार्टमेंट ऑफ टेलीकॉम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 61/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-02-2011 को प्राप्त हुआ था।

[सं. एल.-40012/200/2002-आई आर(डी.यू.)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th February, 2011

S.O. 703.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 61/2003) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1 Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Department of Telecom and their workman which was received by the Central Government on 10-2-2011.

[No. L-40012/200/2002-IR(DU)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID 61 of 2003

Satish Kumar son of Jai Kishan, resident of Village
Lal Kotlu, PO Sudhiar, Tehsil Nadon, District
Hamirpur (HP) ... Applicant

Versus

1. The Managing Director, Telecom Project, BSNL,
Madhav Kunj Good Wood Estate, Bharti Road,
Shimla (H.P.) ... Respondent

APPEARANCES:

For the workman : Shri O.P. Batra
For the management : Shri I.S. Sidhu

AWARD

Passed on 27-1-2011

Central Govt. Ministry of Labour vide letter No.
L-40012/200/2002 IR(DU) dated 11th of March 2003 has
referred the following dispute to this Tribunal for
adjudication:

“Whether the action of the management of
Managing Director, Telecom Project, (BSNL), Shimla
in terminating the services of Shri Satish Kumar,
Security Chowkidar w.e.f. 1-1-1998 without complying
with the provisions of the ID Act, 1947 is just and
legal? If not, to what relief the workman is entitled to
and from which date?”

After receiving the reference, parties appeared and
filed their respective pleadings. Both parties were afforded
the opportunity of leading evidence. Oral evidence was
recorded. Apart from Ex. M2 and M3, no documents have
been filed by any of the parties.

Case of the workman in nutshell is that he was
appointed as chowkidar on 15-12-1993 in the Micro Wave
Station at Solan under the administrative control of Director
Telecom Project, Madhav Kunj Good Wood Estate, Bharti
Road, Shimla-1 and the Divisional Engineer (Telecom)
Project, Sanjay Sadan, Shimla. The services of the workman
were transferred to Shimla Telecom project in December
1994 and he stayed there till August 1995. Thereafter, the
workman was posted in Store at Sheghi where he worked
without any break up to 31-12-1997. He was paid daily
wages initially Rs. 45 and thereafter @ Rs. 56 per day. He
has completed 240 days of work in every calendar year.
His juniors were retained in services and their services
have been regularised, whereas, the services of the
workman were terminated without any compensation w.e.f.
1-1-1998. Workman preferred an industrial dispute and on
failure of conciliation report, this reference.

The management appeared and oppose the claim of
the workman by filing written statement. It is admitted that
workman was engaged as chowkidar in Microwave Station
Solan purely on temporary basis on daily wages against
project work. The appointment of the workman was
conditional to the completion of the project. As soon as
the project work was over, the services of the workman
were no more required and accordingly his services were
terminated by giving one month notice dated 1-1-1998 (M3).
No junior were retained. It is nowhere specifically denied
in the written statement that workman has not completed
240 days of work in the preceding year from the date of the
termination.

Parties were heard at length. The relevant record of
working is lying in the custody of the management. Except
the copy of notice, the management fails to file any
document relating to the services of the workman. It is
admitted that initial appointment of the workman was lawful.
It is the only contention of the management that workman
was engaged against a project and on cessation of work
on project, his services were terminated. But the
management failed to prove when the project was
commissioned after its completion? The management has
not specifically denied that workman after the said project
had worked as chowkidar in Sheghi. It is also proved that
payment of wages were made good to the workman directly
by the management. It is admitted by the witness of the
management Shri Balbir Singh MW 1 that services of Shri
Manjoor Alam, Parveen Kumar and Kali Ram were
regularised respectively on 1-8-95, 1-12-95 and 1-1-1997.
This witness denied having any knowledge about the initial
appointment of all the three persons on daily wages in the
department working on temporary basis. It is the specific
claim of the workman that all these three persons were
junior to him. It is nowhere denied by the management that
these three persons were not the junior to the workman.
Moreover, non filing the relevant documents relating to
the initial appointment of workman and all these three
persons provide the opportunity to this Tribunal to take
the inference against the management to the effect that all
these three persons were junior to the workman.

As stated earlier the workman has contended that he
has completed 240 days of work in preceding year to the
date of his termination and his services were terminated
without payment of any compensation. This fact has also
not been denied by the management. Industrial Disputes
Act, 1947 does not bar the termination of services of any
daily wage workman but the same regulates it. If the
services of any daily wage workman are no more required,
the same can be terminated by giving a month's notice and
reasonable compensation to be calculated as per the
provisions of the I.D. Act, 1947. The Phrase “the services
of daily wage worker are no more required” means that the
decision of the management should not be whimsical or
arbitrary. It should be factually based on some reasonable

and lawful criteria. In this case, the management has failed to provide any reasonable and lawful criteria that services of the workman were no more required, though the management has continued the services of three persons namely Manjoor Alam, Parveen Kumar and Kali Ram. It shows that services of the workman were required. In violation of the principle of natural justice and in violation of the provisions of the Industrial Disputes Act, by giving one month's notice, the workman was directed not to attend the office without payment of retrenchment compensation. It was arbitrary decision of the management which has no legs to stand being against the provisions of the I.D. Act, 1947. The act of the management is against the law and arbitrary on two folds. Firstly the workman has completed 240 days in preceding year from the date of termination and no compensation as per the provisions of the I.D. Act was given to him. Secondly, his juniors were retained in services. Their services were regularized but the service of the workman were arbitrarily terminated.

Accordingly, the act of the management terminating the services of the workman was bad in law and is accordingly quashed. The only remedy in this case is, reinstatement of the workman in the service alongwith back wages because the juniors to the workman were allowed to continue in the services and their services were regularized. Accordingly, the management is directed to reinstate the workman and pay him all the back wages within one month from the date of publication of the award. The management is also directed to consider the workman for regularization of his services in the same way and manner as the services of three juniors to the workman namely Shri Manjoor Alam, Parveen Kumar and Kali Ram were regularised. While so considering the workman, his seniority shall also be protected. This Tribunal is hopeful that management shall have a reasonable and generous approach towards workman. Central Govt. be informed. File be consigned.

Chandigarh G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 फरवरी, 2011

का. आ. 704.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंडियन इन्स्टीट्यूट ऑफ पेट्रोलियम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 88/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-02-2011 को प्राप्त हुआ था।

[सं. एल. 42012/33/1997-आई आर(डी.यू.)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th February, 2011

S.O. 704.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 88/2002) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of Indian Institute of Petroleum and their workmen, which was received by the Central Government on 10-2-2011.

[No. L-42012/33/1997-JR(DU)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO. 1, KARKARDOOMA COURTS COMPLEX, DELHI**

ID No. 88/2002

Shri Balwant Rai Patel
S/o Shri B.D. Tyagi 16-A,
Raipur Road, Dehradun.

... Workman

Versus

The Director,
Indian Institute of Petroleum,
Mohkampur, Dehradun.

... Management

APPEARANCES

For the workmen : Shri O.P. Batra

For the management : Shri I.S. Sidhu

AWARD

Post of Senior Scientific Assistant was advertised by Indian Institute of Petroleum, Dehradun, (hereinafter referred to as the Institute), which advertisement was responded to by Shri Balwant Rai Patel (hereinafter referred to as the claimant). Selection Committee met on 2-5-64 and recommended appointment of the claimant to that post. Deputy Director, incharge of the Institute, issued appointment letter to the claimant on 19th of May, 66, whereby making it clear that his appointment to the post was temporary and his services may be terminated by one month notice on either side, viz. the appointee or the appointing authority, without assigning any reason. A right was reserved by the appointing authority to terminate services of the claimant forthwith or before expiry of period of notice by making payment of a sum equivalent to pay and allowances for the period of notice or unexpired portion thereof. The claimant joined the services with the Institute on 18-6-64. Claimant earned adverse remarks for service rendered by him for the year 1965 and 1966. Post of Scientist Grade B was advertised by the Institute in 1965 as well as in 1966. Claimant submitted his application for appointment to that post in those years. However, he was not called for an interview. In 1967 post Scientist Grade B was again advertised. Claimant applied for the post. Though he was called for an interview but not selected. He sought an

appointment with the Director and misbehaved with him. He was suspended on 7-6-68 and charge sheeted. Claimant assailed his suspension order before the Civil Judge, Dehradun. On 22-8-74, his suspension was revoked. Shri D.S. Sharma, Assistant (Vigilance) served order dated 22-8-74 on the claimant in person, but he refused to accept it. On 23rd of August, 2004, Shri Sharma tendered his affidavit in that regard before the Civil Judge, Dehradun, when Civil suit, referred above, came for hearing that day. Despite revocation of suspension order, the claimant opted not to join his duties.

2. On 1-9-74 he went to the office of the Institute and received his subsistence allowance for August, 1974. He did not submit his joining report. He again went to the office of the Institute on 1-10-74, on which date neither his wages nor subsistence allowance was paid to him. On 29-10-74, he filed a civil suit seeking declaration and injunction against the Institute. Despite an order in his favour passed by the Civil Court, he opted not to join his duties. The Civil Judge dismissed his suit. He assailed the decree before the District Judge, by way of an appeal. During hearing of that appeal, Shri M.S. Chawla, Section Officer of the Institute, filed his affidavit, swearing therein that service of the claimant were terminated on 23-12-80. He also affirmed that copy of the order was sent to the claimant, who refused to accept it. On consideration of the affidavit so tendered by Shri Chawla, his appeal came to be dismissed.

3. When the claimant lost his battle before Civil Court and the First Appellate Court at Dehradun, he approached the Conciliation Officer, by way of filing a claim statement. The Institute put in its appearance before the Conciliation Officer and resisted the claim. In view of the facts, detailed above, conciliation proceedings failed. Conciliation Officer submitted his failure report before the appropriate Government. On consideration of failure report, so submitted by the Conciliation Officer, the appropriate Government referred the dispute to this Tribunal for adjudication, vide order No. L-42012/33/1997-IR (DU), New Delhi dated 31st of December, 2002, with following terms of reference :

"Whether the action of the management of M/s. Indian Institute of Petroleum, Dehradun, in terminating the services of Shri B.R. Patel, Ex-Senior Scientific Assistant w.e.f. 23-12-80 is just, fair and legal? If not, what relief he is entitled to and from what date?"

4. Despite directions to the claimant in reference order to file his claim statement within a period of 15 days from the receipt of the said order, he opted not to file it. Notices were sent by the Tribunal to the claimant in that behalf, which also proved futile. Claim statement was not filed by the claimant. This situation led the Tribunal to believe that the claimant was not interested in agitating his

grievances for adjudication. Hence a "no dispute" award dated 4-12-2003 was passed.

5. On 19th of April, 2007, an application was moved by the claimant for recalling the award, so passed. His application was declined by the Tribunal vide its order dated 21st of July, 2009, which order was assailed by him before High Court of Uttarakhand. Vide order dated 16-8-2010, High Court commanded this Tribunal to pass a consequential order on the application of the claimant for setting aside the ex parte award. Application of the claimant was allowed by the Tribunal, when it formed an opinion that it was expedient to call the claimant to have disposal of the matter on merits.

6. Claim statement was filed by the claimant pleading therein that he was appointed as Senior Scientific Assistant by the Institute on 12-6-64, with three advance increments in pay scale of Rs. 250-575. He is B.Sc., B.Sc. (Chemical Engineer), M.Sc. (Technology), M.Sc. (Maths), Associate Member of Oil Technologist Association, Aota India British Institute of Engineering and Technology (BIET), (Petroleum), London. In the end of 1964 an anonymous letter was written to the Director General, Council of Scientific and Industrial Research, New Delhi, casting aspersions on attitude and conduct of then Director of the Institute, namely, Dr. M.G. Krishna, for discouraging scientific staff from improving their qualifications. The letter was transmitted by the Director General, CSIR, New Delhi, to the Director of the Institute, who suspected the claimant to be its author. He started harassing the claimant by devising means and ways. In 1965 and 1966 post of Scientist Grade B was advertised, for which post he was not called for an interview. Persons, having less qualification and experience, who were juniors to him were given preference. In 1967 Director General, C.S.I.R. visited the Institute, before whom he placed his grievances. It resulted in calling him for interview for the post of Scientist Grade B in the year 1967. Though he was not selected for that post, yet his name was sponsored for deputation to U.S.S.R. Persons, less qualified and experienced and juniors to him, were selected to the post of Scientists Grade B. It frustrated him a lot. Dr. Krishna concocted a cock and bull story and illegally placed him under suspension on 7-8-68. His suspension was followed by a charge sheet. A protracted enquiry stated flouting provisions of CCS (CCA) Rules, 1965 (in short the rules). Left with no alternative he filed a civil suit as an indigent person. On 23-8-74 the Institute made a false claim before the Civil Judge, Dehradun, projecting that his suspension orders were revoked. However, order revoking his suspension was never served upon him, as required by rule 30 of the Rules. Even after deceptive claim of revocation of suspension order, he was given subsistence allowance for the period 23-8-74 to 31-8-74. His entry was restrained inside the premises of the Institute and subsistence allowance was also stopped. Left with no option he filed another Civil

suit for declaration and injunction before Munsif, Dehradun, who granted an injunction order in his favour. On 2nd of May, 1995, a termination letter was received by post. After availing departmental remedy, he approached the Conciliation Officer. He presents that alleged termination order was never served upon him, in accordance with the provisions of rule 30 of the Rules. No charge sheet preceded the termination order. Neither an enquiry was conducted nor a show cause notice was served upon him. He claims that termination order may be declared illegal, invalid, inoperative, void ab initio and he may be reinstated in services of the Institute. He further claims that he may be elevated to the post of Director of the Institute. In the alternative he claims adequate compensation, besides an interest of 9% per annum. Cost of litigation has also been claimed.

7. Claim was demurred by the Institute pleading that it being purely a Research Institute is not engaged in any activity which can be called business trade or manufacture. It cannot be said to be an undertaking analogous to business or trade, hence not an industry within the meaning of clause (j) of Section 2 of the Industrial Disputes Act, 1947 (in short the Act). It has further been pleaded that the claimant is not a workman within the meaning of clause (s) of Section 2 of the Act. However, it is not disputed that the claimant was appointed as a temporary Senior Scientific Assistant, who joined his duties on 18th of June, 64. He was placed under suspension on 7-8-68, when he misbehaved with the Director of the Institute. However his suspension order was revoked on 22-8-74, as a sequitur of penalty imposed upon him by the Director General, C.S.I.R., after a domestic enquiry. Order dated 22-8-74 was delivered to him in the Court of Civil Judge, Dehradun, but he refused to accept the order. Therefore, Shri D.D. Sharma filed his affidavit before the Civil Judge on that very day alongwith copy of order. These facts make it clear that the claimant was well aware of the order dated 22-8-74, on the strength of which his suspension was revoked. Claimant was supposed to join his duties on 24-8-74 but he opted not to do so. On 22-9-74 a letter was written to him informing him about his unauthorized absence. On 31-10-74 he was again informed that his suspension order has been revoked. In spite of these communications he failed to resume his duties. Later on it was learnt that he was gainfully employed with some establishment. On 22-4-76 he was informed that there was no question of granting him permission to join law classes, since after revocation of his suspension order he had not resumed his duties. On 1-7-78 his request for grant of permission to register in High Court of Allahabad and for issuance of library card was declined. On 23-12-80 a notice was given to him that his services shall stand terminated in terms of appointment letter on expiry of period of one month from the date of the notice. Notice was dispatched by registered post.

8. The Institute pleads that it was learnt that after termination of his services, the claimant joined Welham Boys School as a Teacher in December, 1983. His service was terminated by the said school on 24-04-1984. He filed a suit against the school challenging his order of termination. His suit was dismissed on 15-7-07, against which he filed an appeal, which also came to be dismissed on 22-5-09. During pendency of suit against the school, he filed a case under Payment of Wages Act, 1936 seeking a sum of Rs. 1,56,400/- towards his wages and allowances from May, 84 to September, 1985. The said case was dismissed on 27-2-98. He preferred an appeal against the said order, which was also dismissed.

9. The claimant had intentionally and deliberately abandoned his employment out of his own accord and volition, pleads the Institute. His claim suffers from delay and laches. On 7-3-1994 he made a request for refund of his provident fund amount and service benefits. That fact makes it clear that he was well aware about his termination order. It has been claimed that his services were liable to be terminated in terms of clause 3 of his appointment letter. The Institute presents that the claimant is not entitled for any relief much less relief of reinstatement in service or his elevation to the post of Director of the Institute. A prayer has been made that his claim may be discarded.

10. On pleadings of the parties, following issues were settled :

1. Whether the management is an Industry within the meaning of clause (j) of Section 2 of the Industrial Disputes Act, 1947 ?
2. Whether the claimant abandoned his services w.e.f. 23-8-74 ?
3. As in terms of reference.
4. Relief.

11. Claimant entered the witness box to substantiate his claim. Shri Pankaj Kumar, Section Officer, stepped in the witness box to substantiate defence of the Institute. No other witness was examined by either of the parties.

12. Arguments were heard at the bar. Claimant raised his submissions in person. Shri Pankaj Kumar, Section Officer, presented his point of view on behalf of the Institute. Written submissions were also filed on behalf of the claimant. I have given my careful considerations to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows :

Issue No. 1

13. Though during the course of arguments neither the Institute raised the issue that it is not an industry nor the claimant opted to answer objection taken in the written statement, yet I think it expedient to deal with that

proposition. The Institute pleads in its written statement that it being purely a Research Institute, is not engaged in any activity which can be called business, trade or manufacture. No activity is being carried on by it which may be analogous to trade or business. It is not engaged in any commercial or industrial activity, hence it cannot be described as an economic venture or commercial enterprise. The Institute nowhere produced any object or render service to satisfy wants and need of the community at large. It has been asserted that the Institute discharges functions as a domestic enterprises. In the light of these pleadings it was claimed that the Institute is not an Industry within the meaning of clause (j) of Section 2 of the Act. The claimant disputes that the proposition raised by the Institute, as aforesaid. To appreciate submissions of rival parties, it is expedient to have a glance on definition of word "industry", defined in clause (j) of Section 2 of the Act, which definition is extracted thus :

"Industry" means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen".

14. The definition of "industry" is both exhaustive and inclusive. It is in two parts. The first part says that it "means any business, trade, undertaking, manufacture or calling of employers" and then goes to say that it "includes any calling, service, employment, handicraft or industrial occupation or avocation of workman". Thus one part defined it from the stand point of the employer, and the other part from the stand point of the employees. The first part of the definition gives statutory meaning of the industry, whereas the second part deliberately refers to several other items of industry and bring them in the definition in an inclusive way. The first part of the definition determines any industry by reference to occupation of employers in respect of certain activities viz., business, trade, undertaking, manufacture or calling. The second part views the matter from the angle of employees and is designed to include something more in what the term primarily denotes. By this part of the definition any calling, employment, handicraft, industrial occupation or avocation of workmen is included in the concept of industry. This part gives extended connotation.

15. Gloss was put on the definition of word "industry" by the High Courts and the Apex Court time and again. The question as to what is "industry" has continuously baffled and perplexed the courts. A graph of the cases decided by the Apex Court, if plotted on the background of the expression used in two parts of the definition of "Industry", would represent rather a zig zag curve. There have been various judicial ventures in this rather volatile area of law. The decided cases show that the efforts were made to evolve test by reference to characteristics regarded as essential for constituting an activity as an "Industry". Various cases would show that

the Apex Court has been guided more by empirical rather than a strictly analytical approach. Most of the decisions have centered around the expression "undertaking" used in the definition. In Bangalore Water Supply and Sewerage Board (1978 Lab. I.C. 778) the Apex Court reviewed the earlier decisions on interpretation of the wide words encompassed in the definition and formulated positive and negative principles for identifying "industry" as enacted by clause (j) of Section 2 of the Act. It would be expedient to reproduce the authoritative pronouncement of the Court, in the very words set out in the majority decision, handed down by Justice Krishna Iyer, which are extracted thus :

I. "Industry" as defined in S.2(j) and explained in Banerji (AIR 1953 S.C. 58) has a wide import.

- (a) Where (i) systematic activity, (ii) organized by Co-operation between employer and employee (the direct and substantial element is chimerical) (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious but inclusive of material things or services geared to celestial bliss i.e. making, on a large scale prasada or foods) prima facie, there is an "industry" in that enterprise.
- (b) Absence of profit motive or gainful objective is irrelevant, be the venture in the public, joint, private or other sector.
- (c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations.
- (d) If the organization is a trade or business it does not cease to be one because of philanthropy animating the undertaking.

II. Although Section 2(j) uses words of the widest amplitude in its two limbs, the re-meaning cannot be magnified to overreach itself.

- (a) "Undertaking" must suffer a contextual and associational shrinkage as explained in Banerjee and in this judgement, so also, service, calling and the like. This yields the inference that all organized activity possessing the triple elements in 1 (supra), although not trade or business, may still be 'industry' provided the nature of activity, viz. the employer-employee basis, bears resemblance to what we find in trade or business. This takes into the fold 'industry' undertaking, calling and services, adventures, "analogous to the carrying on the trade or business". All features, other than the methodology of carrying on the activity viz. in organizing the co-operation between employer and employee, may be

dissimilar. It does not matter, if on the employment terms there is analogy.

III. Application of these guidelines should not short of their logical reach by invocation of creeds, cults or inner sense of incongruity or outer sense of motivation for or resultant of the economic operations. The ideology of the act being industrial peace, regulation and resolution of industrial disputes between employer and workmen the range of their statutory ideology must inform the reach of the statutory definition. Nothing less, nothing more.

(a) The consequences are—(i) profession, (ii) clubs (iii) education institutions, (iv) co-operatives (v) research institutes, (vi) charitable projects and (vii) other kindred adventures, if they fulfil the triple tests listed in 1(supra), cannot be exempted from the scope of Section 2(j).

(b) A restricted category of professions, clubs, co-operatives and even Gurukuls and little research labs may qualify for exemption if in simple ventures, substantially, and going by the dominant nature criterion, substantively no employees are entertained but in menial matters, marginal employees are hired without destroying the non-employee character of the unit.

(c) If, in a pious or altruistic mission many employ themselves, free or for small honoraria or like return, mainly drawn by sharing in the purpose or cause, such as lawyers volunteering to run a free legal services clinic or doctors serving in their spare hours in a free medical centre or ashramites working at the bidding of the holiness, divinity or like central personality, and the services are supplied free or at nominal cost and those who serve are not engaged for remuneration or on the basis of master and servant relationship, then, the institution is not an industry even if stray servants, manual or technical, are hired. Such eleemosynary or like undertakings alone are exempt not other generosity, compassion, developmental passion or project.

IV. The dominant nature test :

(a) Where a complex of activities, some of which qualify for exemption, other not, involves employees on the total undertaking, some of whom are not “workmen” as in the University of Delhi case (AIR 1963 S.C. 1873) or some departments are not productive of goods and services if isolated, even then, the predominant nature of the services and the integrated nature of the departments as explained in the Corporation of Nagpur (AIR 1960 S.C. 657) will

be the true test. The whole undertaking will be industry although those who are not “workmen” by definition may not benefit by the status.

(b) Notwithstanding the previous clauses, sovereign functions, strictly understood (alone) qualify for exemption, not the welfare activities or economic adventures undertaken by govt. or statutory bodies.

(c) Even in department discharging sovereign functions, if there are units which are industries and they are substantially severable, then they can be considered to come within S.2(j).

(d) Constitutional and competently enacted legislative provisions may remove from the scope of the act categories which otherwise may be covered thereby.

V. We overrule *Safdarjung* (AIR 1970 S.C. 1407), *Solicitors case* (AIR 1962 S.C. 1080), *Gymkhana* (AIR 1968 S.C. 554), *Delhi University* (AIR 1963 S.C. 1873), *Dhanraj Giriji Hospital* (AIR 1975 S.C. 2032) and other rulings whose ratio runs counter to the principles enunciated above, and the *Hospital Mazdoor Sabha* (AIR 1960 S.C. 610) is, hereby, rehabilitated.”

16. Principles laid down in *Bangalore Water Supply and Sewerage Board* (supra) hold ground. Therefore, the controversy raised will be adjudicated in view of the law laid by the Apex Court in the precedent referred above. The Institute agitates that it is not an industry. The view point held by the Institute is that no profit motive activities are being carried on by it, being purely a research institute. No business is being run, hence the Institute cannot be termed as an “industry”. Except the facts referred above, the Institute nowhere projects any other factors to lay emphasis on the proposition that it is not an ‘industry’. Contra to it the claimant agitates that the Corporation is an ‘industry’.

17. In *Baroda Borough Municipality* [1957 (1) LLJ8] the Apex Court held that through municipal activity could not be truly regarded as business or trade, yet it would fall within the scope of expression ‘undertaking’. Non-profit undertaking of the municipality were included in the concept of ‘industry’ even if there is no private enterprise. The court reiterated that branches of work that can be regarded as analogous to carrying out of a trade or business would fall within the meaning of ‘industry’ in clause (j) of Section 2 of the Act. In reaching the decision, the Apex Court relied precedent in *D. N. Banerji* (supra) and ruled that it would be sufficient that the activity is an ‘undertaking’ analogous to the carrying on of a trade or business and involves cooperation between the employers and employees. This result was reached by extending the meaning of the expression ‘undertaking’ to cover adventures not strictly trade or business but ‘objects vary

similar'. Reference can also be made to Madras Gymkhana Club Employees Union (supra).

18. In Indian Standard Institute [1966 (1) LLJ 33] the Apex Court suggested that in order to be recognized as an undertaking analogous to trade or business, the activity must be an economical activity in the sense that it is productive of material goods or material services. In Bangalore Water Supply and Sewerage Board (supra), the Court laid down that an activity systematically or habitually undertaken for the production or distribution of goods for rendering material services to the community at large or a part of such community with the help of employees is an undertaking. An 'industry' thus was said to involve cooperation between the employer and employee for the object of satisfying material human need but not for oneself nor for pleasure nor necessity for profit. Lack of business and profit motive or capital investment would not take out an activity from the sweep of 'industry', if other conditions are satisfied. It is the activity in question which attracts the definition and the absence of investment of any capital or the fact that the activity is conducted for profit motive or not, would not make material difference. Conversely mere existence of profit motive will not necessarily convert the activity into "industry" if other tests are not satisfied.

19. As projected by the Institute it is a research institute. The Institute agitates that it does not carry out any profit motive activity. Lack of business, profit motive or capital investment would not take out the Institute from the sweep of definition of word 'industry', when other standards laid by the Apex Court in Bangalore Water Supply and Sewerage Disposal Board (supra) stand satisfied. For an answer, it is expedient to bring it over the record that there were systematic activities, organized by cooperation between the employer and employee, for production and/or distribution of goods and services calculated to satisfy human wants and wishes. Absence of profit motive or gainful objective would not take the venture out of the ambit of the definition. As detailed above an educational or research institute would fall within the ambit of the definition. Claim projected by the Institute that it carries research activities, which cannot be termed as an undertaking analogous to business or trade, is irrelevant. Ratio of law laid by the Apex Court in Safdarjung Hospital (supra), Delhi University (supra) were over ruled and a research institute has been declared to be an 'industry' which answers all standards of the definition given in clause (j) of Section 2 of the Act. In view of the proposition of law laid by the Apex Court contention advanced by the Institute that it is not an industry is unfounded. Issue is, therefore answered in favour of the claimant and against the Institute.

Issue No. 2

20. Claimant projects that he joined as Senior Scientific Assistant with the Institute in June, 64. He unfolds that he is B. Sc., B.Sc. (Chemical Engineering), M.Sc. (Technical) and M. Sc. (Maths). He did his diploma in

Petroleum from British Institute of Engineering and Technology (London). Someone wrote to Director General, C.S.I.R., alleging that Director of the Institute was not allowing employees to improve their educational qualifications. Director suspected him as the person who wrote that letter. In 1965 as well as 1966, the Institute conducted interview for recruitment to the post of Scientist Grade B. Though he had sent his application, yet he was not called for an interview. Persons junior and having lesser qualification were called for interview and selected. In 1967 he sought an interview from the Director General C.S.I.R., when he visited the Institute. He presented his grievances before the Director General, in presence of the Director of the Institute. Director General heard him patiently and nodded in his favour. In 1968, he was called for an interview for the post of Scientist Grade B, however, he was not selected. He performed excellently in the interview. When he was not selected, he felt frustrated. He sought an interview with the Director. He enquired from the Director as to why he was not selected. Director heard him in presence of four officers. He had not given any reply but served him with a charge sheet. He was suspended and remained in that state for a period of six years. He filed a suit as an indigent person, which was resisted by the Institute. Shri D. D. Sharma filed his affidavit in the said suit on 23-8-74, copy of which is Ex. WW1/6. He went to the Institute on 1-9-74 to receive his wages. Subsistence allowance for whole of August, 74 was paid to him. He went again to the Institute on 1-10-74, on which date concerned clerk told him that no subsistence allowance would be paid to him. He met the Administrative Officer, who told him that a letter would be written in that regard. He filed a civil suit before Munsif, Dehraun, on 29-10-74 seeking declaration and injunction. Munsif granted an injunction in his favour. He had not gone to join his duties, since the Institute had paid him subsistence allowance for whole of August, 74. No subsistence allowance was paid to him for September, 74 and thereafter. On 2-5-95 a termination order was served on him. He projects that when letter Ex. WW1/M2 was served upon him, he wrote to the Director General, C.S.I.R. but no response was received. He admits that on 2-8-83 he joined his services with Welham Boys School. He concedes that copy of affidavit Ex. WW1/6 was supplied to his counsel on 23-8-74.

21. Shri Pankaj Kumar claimed in his testimony that written statement of the Institute may be treated as its evidence. He explains that subsistence allowance for whole of August, 74 was given to the claimant inadvertently. Vide order Ex. WW1/M3, the claimant was called upon to deposit amount of subsistence allowance, which was paid to him due to inadvertence. Mistake occurred since suspension of the claimant was revoked on 22-8-74 and salary bills were submitted by that date. Bill for entire amount of subsistence allowance for August, 74 was submitted, projects Shri Kumar. He unfolds that letter Ex. MW1/W2

was written to the claimant. He does not dispute copy of affidavit of Shri M. S. Chawla, which is Ex. MW1/W6.

22. When facts testified by the claimant and those projected by Shri Pankaj Kumar are appreciated, it came to light that the claimant was placed under suspension on 7-8-68. The claimant attempts to raise an issue that since Director of the Institute become vindictive, he was harassed and victimized. To project his point of view, he highlights that in 1965-66 he was not called for an interview to the post of Scientist Grade-B despite being qualified for it. Whether vindictive attitude of the Director of the Institute was the reason for not calling the claimant for an interview? Answer has been given by the claimant himself in documents Ex. W12 and W13. These two documents were written by the claimant on 15-3-77 to the President, C.S.I.R., Rafi Marg, New Delhi and Hemwati Nandan Bahuguna, the then Minister of Horticulture and Chemicals, Government of India, New Delhi. In these documents, he projects that his confidential report for the year 1965-66 contained adverse entries. He tried to explain that those adverse entries were made on flimsy grounds. Thus it came to light that confidential reports of the claimant for 1965-66 were not upto the mark. No evidence worth name has been brought over the record by the claimant to the effect that he made representations against adverse entries to the Reviewing Authority. The events detailed above make it clear that adverse entries recorded in confidential reports for 1965-66 became final. In the light of those adverse entries, the claimant lost his right to be considered for the post of Scientist Grade B. In such a situation it cannot be said that claimant was not called for an interview for the post of Scientist Gr. 'B' in 1965-66 on account of vindictive attitude of the Director of the Institute.

23. As projected by the claimant, he was called for interview to the post of Scientist Grade 'B' in the year 1967. He presents that though he performed well but was not selected. As per the case, the claimant joined services with the Institute in June, 1964. His confidential reports for 1965-66 contained adverse entries. A candidate who does not perform well for consecutive two years cannot be found suitable for a higher post in the subsequent year. Therefore, it is evident that on account of bad performance, the claimant was not selected to the post of Scientist Grade B in 1967. His allegations that the Director made the members of Selection Committee not to recommend him for appointment to the post, are unfounded. An ordinary prudent man cannot derive an inference that on account of vindictive behaviour of the Director, the claimant lost his right for selection to the post of Scientist Grade B in the year 1967.

24. As unfolded by the claimant, he sought an interview from the Director and questioned him as to why the former was not selected for the post of Sr. Scientist

Grade B. This misdemeanour on his part led authorities to contemplate a domestic action. Claimant was suspended on 7-8-68. Domestic enquiry was constituted and ultimately penalty was awarded to him vide order dated 22-8-74. Initiation of domestic enquiry and award of penalty to the claimant were not questioned. Therefore, it is an admitted proposition that the claimant was punished by the Disciplinary Authority for his misconduct, vide order dated 22-8-74. It does not lie in his mouth to allege that on account of grudge being nurtured by the Director of the Institute, he was placed under suspension.

25. The claimant dragged the Institute in litigation. He filed a civil suit before the Civil Court, Dehradun. He presents that Shri D. D. Sharma has filed his affidavit before the court on 23-8-75, copy of which affidavit is Ex. WW1/6. When Ex. WW1/6 is scanned, it came to light that Shri D. D. Sharma informed Civil Judge, Dehradun that order dated 22-8-74 was passed, revoking suspension of the claimant. He tendered that order to the claimant, who refused to accept it. He presents that refusal of the claimant amounts service of that order on him. Copy of the order alongwith envelope were filed by Shri Sharma, supported by his affidavit before the Ld. Civil Judge. The claimant admits that copy of that affidavit was supplied to his counsel on 23-8-74. Therefore, it is emerging over the record that on 23-8-74 order revoking suspension of the claimant was tendered to him by Shri Sharma. The claimant opted not to accept the order. Shri Sharma was constrained to file his affidavit alongwith a copy of the order and envelope in the court of Civil Judge, Dehradun, copy of the affidavit was supplied to the counsel of the claimant. Hence it is evident that on 23-8-74 order revoking suspension of the claimant was made known to him before the Ld. Civil Judge, Dehradun.

26. Whether claim, made by the claimant, that order revoking his suspension on 22-8-74 was not served on him, is based on facts? For an answer documents relied by the claimant are scanned. In Ex. W12 and W13, the claimant projects to the authorities that on 22-8-74 his suspension was revoked by the Under Secretary, C.S.I.R., New Delhi. He nowhere explained as to from what source he came to know that his suspension was revoked on 22-8-74. Contents of these two documents make it clear that the claimant was well aware about the order revoking his suspension, which was passed on 22-8-74. In these two documents he had admitted that fact. Hence claimant cannot be allowed to approbate and reprobate facts. Out of his own admission it is emerging over the record that claimant was served with the order revoking his suspension on 22-8-74. Hence his claim that order dated 22-8-74 was not served, is unfounded, since it is not supported by facts either direct or circumstantial.

27. A case has been projected by the claimant that his suspension order was never revoked, since he was

paid subsistence allowance for the period from 23-8-74 to 31-8-74. He agitates that no subsistence allowance for the month of September, 74 and thereafter was paid to him. He concedes that he never submitted his joining report to the Institute. An explanation was offered by Shri Pankaj Kumar as to under what circumstances subsistence allowance for whole of August, 74 was paid to the claimant. He presents that since his suspension was revoked on 22-8-74 by then bills for subsistence allowance to be paid to the claimant for August, 74 were submitted. This inadvertent act was corrected vide order Ex. WW1/M3, on the strength of which claimant was called upon to refund excess amount of subsistence allowance paid to him. Ex. WW1/M3 was written to the claimant on 21-10-74, wherein it was emphasized that he was absent from his duties in an unauthorized manner w.e.f. 24-8-74. Service of Ex. WW1/M3 has not been a matter of dispute. Consequently it stands established that due to inadvertence subsistence allowance for whose of August, 74 was paid to the claimant and at the earliest possible opportunity he was called upon to refund subsistence allowance paid for the period from 24-8-74 to 31-8-74. The Institute projected a claim of his unauthorized absence since 24-8-74, which fact was brought to his notice through communication Ex. WW1/M3. Consequently the claim projected by the claimant that the Institute had not recalled his suspension order, goes to doldrums on the basis of this communication too.

28. Admittedly the claimant had not joined his duties, knowing well that his suspension order stood revoked w.e.f. 22-8-74. He was made known to this effect before the Civil Judge, Dehradun, before whom Shri D. D. Sharma filed his affidavit Ex. WW1/6. Instead of joining his duties, claimant approached Civil Judge, Dehradun again. His plaint came to be dismissed. He filed an appeal before District Judge, Dehradun. Ex. W9 is a document proved by the claimant himself. On the strength of this document a notice was served upon the claimant informing him that he was absent in unauthorized manner and his services shall stand terminated w.e.f. the date of expiry of a period of one month from the date of service of the notice. Ex. W9 is signed by Dr. I. B. Gulati, Director of the Institute. Despite service of his notice the claimant opted not to join his duties. When appeal before the District Judge was pending adjudication, Shri M. S. Chawla, Section Officer, filed his affidavit, which is Ex. WW1/W6. This affidavit was proved by the claimant himself. Contents of this affidavit highlights that services of the claimant were done away in terms of conditions of his appointment. When affidavit of Shri Chawla was served on the claimant in the year 1982, he came to know about termination order passed by the Institute. Since the claimant admits that he had not joined his duties w.e.f. 23-8-74 till supply of copy of affidavit Ex. WW1/M6, it is crystal clear that the claimant opted to abstain himself from his duties.

29. As detailed above, a case is projected by the Institute that the claimant has abandoned his services, for

he opted not to join his duties despite service of notice dated 23-12-1980. Therefore, it would be expedient to know what words "abandon" and "abandonment" mean. Ordinarily, word "abandon" does not mean merely "leaving" but "leaving completely and finally". Word "abandonment" would indicate that it has a connotation of finality, which would mean relinquishment or extinguishment of a right, giving up of something absolutely, giving up with an intent of never claiming a right or interest, to renounce or forsake utterly. In order to constitute an "abandonment" there must be a total or complete giving up of duties, so as to indicate an intention not to resume the same. Abandonment must be total and under circumstances which clearly indicate an absolute relinquishment. A failure to perform duties pertaining to an office must be with an actual or imputed intention on the part of the officer to abandon and relinquish the office.

30. Abandonment is a voluntary positive Act. A man must expressly say that he gives up his right. If he remains quite, it cannot be said that he is forsaking his title to property or his interest therein. An office is abandoned by ceasing to perform its duties. A temporary absence is not, ordinarily sufficient to constitute an abandonment of an office. A mere absence of a workman from duty cannot be treated as an abandonment of service. Abandonment or relinquishment of service is always a question of intention and normally, such an intention cannot be attributed to an employee without adequate evidence in that behalf. However, the "intention" may be inferred from the acts and conduct of the party. The question as to whether the job, in fact has been abandoned or not, is a question of fact which is to be determined in the light of the surrounding circumstances of each case.

31. As per own admission of the claimant he had not joined his duties with the Institute despite revocation of his suspension order. He went to the Institute to receive his subsistence allowance but opted not to join his duties. He again went to the Institute on 1-10-74 but not submitted his joining report. Various communications were sent but the claimant did not join his duties. Notice Ex. W9 was served, which could evoke no response. No efforts were ever made by the claimant to join his services. All these facts make it crystal clear that the claimant had abandoned his services. Issue is, therefore, answered in favour of the Institute and against the claimant.

Issue No. 3.

32. The Institute projects that services of the claimant were done away in pursuance of service conditions contained in his letter of appointment Ex. WW1/M1. On perusal of Ex. WW1/M1 it came to light that the Institute had reserved a right in its favour to terminate services of the claimant on service of one month's notice. For sake of convenience that clause is reproduced thus :

"The services of a temporary employee may be terminated by a month's notice on either side, viz. the appointee or the appointing authority, without assigning any reasons. The appointing authority also reserves the right of terminating the services of the appointee forthwith or before the expiry of the stipulated period of notice by making payment to him of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof."

33. Right reserved by the Institute in appointment letter Ex. WW1/M1 projects powers of administrative adjudication. Administrative decision making is a by-product of an intensive form of government and consequently socialisation of law. Vast expansion of state activity has taken place and government has to embark on ambitious, massive plans of public health, education, planning, social security, transport, agriculture, industrialisation and national assistance. It is impossible to carry out such programmes and determine legal questions involved therein. Therefore, if social control over this area of action is desirable, administrative decision making process has to develop, viz. instrumentalities of the State developing itself under justice system, which supplements the existing one. Power of administrative adjudication has been reorganized by the Apex Court in catena of decisions. Precedents in *Barrelli Electricity Supply Company* [1971 (2) SCC 617], *Rattan Singh* [1977 (2) SCC 491], *Tara Chand* [1977 (1) SCC 472], *Nand Kishore Prasad* [1978 (3) SCC 366] and *S. N. Mukherjee*, [1990 (4) S.C. 594] are a few which can be quoted in that regard.

34. Whether the Institute, which is an instrumentality of the State, is required to initiate enquiry against the claimant before exercising powers of administrative adjudication available to it, under terms of service contained in appointment letter Ex. WW1/M1. In *Suresh Chand* (2007 LLR 344) contention of the workman that no domestic enquiry was conducted and termination of his services was illegal, was brushed aside and it was ruled that when a workman absents from duty without any intimation or prior permission, termination of his services without holding an enquiry will be justified. In *Vijay Pal* (2007 L.L.R. 7) and *G.T. Lad* (1979 Lab. I.C. 2910) same proposition of law was laid. However in *G.T. Lad* (supra) it was ruled by the Apex Court that absence of an employee because of strike for enforcement of their demands does not amount to abandonment of their services. In *Syndicate Bank* (AIR 2000 S.C. 2198) the Apex Court was confronted with such a proposition, as exists in the present controversy. Workman absented himself from his work place for a period of 90 or more consecutive days. A notice was served calling upon

him to report for duty within 30 days of notice, alongwith the grounds on which bank came to the conclusion that the workman had no intention to join his duties. The workman did not respond to that notice at all. Bank passed orders to the effect that the workman had voluntarily retired from service of the bank. Apex court laid that as far as principles of natural justice are concerned the court was to consider (1) whether show cause notice detailing the contents of the complaint or accusation was served (2) whether an opportunity was there for the workman to state his case, and (3) whether the management acted in good faith and has been fair reasonable and just. It was ruled therein that on the facts and circumstances of the case the principles of natural justice were inbuilt in the clause relating to voluntary cessation of employment and when workman had not opted to join his duties on service of notice, principles of natural justice were complied with.

35. As detailed above Institute was clothed with a right to dispense with services of the claimant, after serving one month's notice. Notice Ex. W9 was served on the claimant. Despite service of the said notice, the claimant opted not to join his duties. Thus it emerged over the record that services of the claimant were dispensed with in terms of conditions contained in appointment letter Ex. WW1/M1. Claimant agitates that termination order was served upon him 1995. Facts in that regard stood dispelled out of contents of affidavit Ex. WW1/W6. Affidavit Ex. WW1/W6 was proved by the claimant, contents of which make it clear that it was tendered to the claimant by the authorities of the Institute before District Judge, Dehradun, in 1982. Thus it is evident that he was well aware in 1982 itself that his services were terminated by the Institute in accordance with terms contained in his appointment letter. His agitation that he was served with a termination order in 1995 is contrary to the record. A stale claim was filed by him before Conciliation Officer in 1997. In view of these facts it is evident that action of the Institute in terminating his services is just, fair and legal. Claimant could not show any illegality, unjustifiability or arbitrariness in the termination order. Issue is, therefore, answered in favour of the institute and against the claimant.

Relief.

36. Since services of the claimant were dispensed with in accordance with terms of his appointment letter, he is not entitled to any relief muchless relief of reinstatement in service. His claim is liable to be discarded. Accordingly, discarding his claim an award is, passed. It be sent to the appropriate government for publication.

नई दिल्ली, 10 फरवरी, 2011

का. आ. 705.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन आर्मेन्ट टेक्नोलॉजी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, पुणे के पंचाट (संदर्भ संख्या) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-2-2011 को प्राप्त हुआ था।

[सं. एल. 14011/13/97-आई आर(डी.यू.)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th February, 2011

S.O. 705.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Pune as shown in the Annexure in the industrial dispute between the employers in relation to the management of Indian Armament Technology and their workmen, which was received by the Central Government on 10-2-2011.

[No. L-14011/13/1997-IR(DU)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE SHRI M.G. CHOUDHARY, INDUSTRIAL TRIBUNAL, MAHARASHTRA AT PUNE

Reference (IT) No. 12 of 2004

The Director & Dean,
Indian Armament Technology,
Girinagar, Pune-411025

... First Party

AND

The Secretary,
Pune Zilla Mazdoor Sangh,
185, Shaniwai Peth, Pune-30

... Second Party

In the matter of reinstatement

CORAM : Shri M.G. Choudhary, Presiding Officer

Appearances : Smt. B.M. Kadam, Advocate for first party.

Shr. A.Y. Shikarkhane, Advocate for second party.

AWARD

(11-10-2010)

The Central Government through Ministry of Labour by order dtd. 23-4-04, in exercise of powers conferred under Section-10(1), Clause(d) of the Industrial Disputes Act, 1947 referred the industrial dispute between above named parties for adjudication of the demand of the second party

union in respect of challenging the termination of 11 workmen whose names are mentioned in the Schedule along with list and for determination of the relief to which the said workmen are entitled.

2. The workmen concerned represented by Pune Zilla Mazdoor Sangh appeared in the matter and filed their statement of claim at Exh. U-4 in which it is contended that first party designs, manufactures and stores various types of engineering products in the workshops and other facilities located in its premises. It is producing various goods with the help of power and employs more than 50 employees and is a factory under the Factories Act, 1948. According to the second party apart from the manufactures as above items the first party is also a Research Institute. It trains civilian and defence officers in various techniques and runs regular courses. The first party is controlled by the Defence Research & Development Organization of Central Government. The first party runs an Officers Mess in its premises which also has loading facility. This Mess is run as a statutory facility as per Sec. 46 of the Factories Act. According to the second party, the first party employs the following permanent workmen in the said Officers Mess whose names are mentioned in the statement of claim. According to the second party in addition to the above permanent workmen as there is sufficient work year round the first party has been employing about 40 employees since more than 15 years in the capacity of Room Attendants, waiters, washer, cook & helpers. These workmen cannot enter the premises of the first party unless they are issued entry pass and the first party has been issuing them with entry pass for every month for all these years. According to the second party the first party also provides with rent free quarters on the premises of the first party to some of these workmen. According to the second party workmen they are doing the same work as done by the permanent workmen, but they are exploited like bonded labour by the first party, they are forced to work for long hours, abused and top of it are paid wages of Rs. 500 to Rs. 600 p.m. The first party does not pay them minimum wages fixed by the Central Government nor paid them wages @ 1/3rd of the wages paid to the permanent workmen as per the directives of the Central Government. According to the second party, the first party has been flouting every labour law in respect of these workmen even after the breach were pointed out by the Asstt. Labour Commissioner (Central). According to the second party, the first party has terminated the services of 11 workmen out of the above 40 odd workmen from 24-4-97 by way of retrenchment and did not pay them one month's wages and retrenchment compensation as per Sec. 25F of the I.D. Act, even though they were in continuous employment for more than one year. According to the second party the said termination is illegal and unjustified by way of victimization and improper. Lastly requested to reinstate them in their original post with continuity of service and full back wages from 24-4-97.

3. The first party in his written statement at Exh. C-7 contended that statement of claim contents therein and demands in prayer clauses are illegal, false and wrong. According to the first the second party has no locus standi to file this complaint and there is no relationship of employer-employee between the first party and second party. According to the first party, the second party has not given prior notice U/s. 80 of CPC while making the party to the government officers. According to the first party it is not a factory under the Factories Act and not an industry under the I.D. Act. According to the first party, it is a Institute of Armament Technology of Defence Research & Development Organization under the Ministry of Defence, Government of India, is imparting training/education on defence related subject to the Armed Forces officers and civilian officers of Ministry of Defence and foreign students of friendly nation. It is denied that the first party is manufacturing and storing various types of engineering products in workshop. It is also contended that though the designing of engineering tools/equipment for purely academic and research purpose is carried out on need basis under Mechanical Engineering section under the supervision of specialists/research officers. The institute is not engaged in producing any goods. According to the first party it is not an industry, as such the dispute is not maintainable. According to the first party he is engaged in discharging sovereign functions. According to the first party the Officers Mess is purely a hostel facility run on the contribution of its members and managed by a managing committee, appointed by the General Body of the Officers Mess members. There is no provision to run the Mess as a statutory/non statutory/department canteen. The persons employed purely on ad hoc basis by the Officers Mess as private arrangement. These ad hoc workers were not paid out of any contingency grant for which there is no provision under the existing government rules/orders. According to the first party it has never employed the mentioned workmen in the Officers Mess and they are not permanent but ad hoc in nature. It is contention of the first party that the special recruitment drives were launched by government for clearing the back logs in reservations for SC/ST in direct recruitment from the year 1993 till 1996. During these special recruitment drives the appointment in Group-C and Group-D categories were made in Institute of Armament Technology, through local Employment Exchange, Pune strictly in accordance with the recruitment rules. Whenever such requisitions were sent to employment exchange wide publicity was invariably given to the Officers Mess ad hoc workers for getting the eligible candidate, name sponsored from employment exchange for the concerned posts. According to the first party the workmen were rather employed by Officers Mess, which is purely a hostel facility run on the subscription from the members of the said Mess and managed by the management committee appointed by the members of Mess. The first party has

nothing to do with the affairs of the said Mess and does not concerned to the Mess and the employees of Mess are not in fact the employees of Institute of Armament Technology i.e. first party. According to the first party the entry passes were/are issued to these workers so as to avoid any security hazard since it is a defence installation and visitors are given entry pass after thorough security checkup. According to the first party the workers were provided accommodation in Mess servant quarters by the management committee of the Officers Mess and not by the Institute of Armament Technology. According to the first party the second party Pune Zilla Mazdoor Sangh is not a recognized union by the Central Government and has no locus standi to file this reference and lastly requested to reject the reference.

4. The following issues are framed in the matter at Exh. 06 by my Ld. Predecessor which arise for my determination :

- (1) Whether the reference as framed is tenable under law ?
- (2) Does the second party union proves that the action of the first party company in respect of terminating the services of workmen (involved in the reference) is illegal and unjustified ?
- (3) Whether second party union is entitled for relief as prayed ?
- (4) In what manner the reference is answered ?

My findings to above issues for the reasons recorded below are as under :

- (1) Yes;
- (2) Yes;
- (3) Partly yes;
- (4) Reference is answered partly in affirmative as per order below.

REASONS

5. Both the parties have produced the documents on record. The second party union gave notice of documents, the first party gave inspection of documents to the second party and the inspection report is submitted by the second party at Exh. U-9 and the documents are also produced by the first party in the matter with list Exh. C-12 & C-13.

6. The second party in order to prove his case examined Mr. Nandu Londhe at Exh. U-10. In his examination in chief by way of affidavit he has stated that he is in the employment of the first party Officers Mess from 1-9-96. He is not given appointment letter. Initially he was given work as Room Attendant and at the time of termination he was working as Room Attendant. He was

given servant quarter and for that purpose Rs. 90/- was deducted from his salary. He was given identity card. He has stated that he has continuously worked from the date of his appointment even on 26th January, 1st May and 15th August. He was not enjoying the holidays, he worked for more than 12 hours in 365 days in a year. At the time of his termination w.e.f. 16-4-97 no notice pay and retrenchment compensation was given to him. In cross-examination questions were put to him about his educational qualification and he has stated that he studied upto 4th Std. He does not remember his date of birth. He filed this case through his union. He does not know the name of the union. Initially he was given Rs. 350 p.m. towards wages and was not given any appointment letter. He has admitted that he was appointed by the persons from Mess. He has admitted that he was in the employment from 1-9-96 to 16-4-97 and his name was not recommended by Employment Exchange. He does not know members of the Mess. He has admitted that he was given work orally. He has not filed any documentary evidence regarding allotment of the quarter. He has denied other suggestions given to him in cross-examination.

The second witness deposed in the matter at Exh. U-12 Mr. Lewis Joseph Thomas. In his examination in chief by way of affidavit he has stated that he was working with the first party from 4-8-87 and he is studied upto 7th Std. He was working as a Waiter. He was given quarter No. 2/181 and he has stated the same things as per deposition of earlier witness. In cross-examination he has admitted that he has not filed any documentary evidence to show that the union is registered and recognized by the Government. He has not filed any documentary evidence to show that he is member of the union. He has admitted that he was given work of Waiter in the Officers Mess which was in the premises of the first party. He was not given any appointment letter.

There was no advertisement in the local newspaper. His name was not recommended by Employment Exchange. He was getting monthly wages. He has no documentary evidence to show that he worked more than 12 hours in 365 days in a year. He has not made any written complaint to the authority for non-payment of wages as per Minimum Wages Act and worked more than 12 hours in a day. He does not know whether the Mess runs from the subscription received from the officers. He has admitted that he was being paid by the officers of the Mess and Mess officer was keeping record about his work. He has denied other suggestions given to him in cross-examination.

The third witness of the second party examined at Exh. U-13 is Mr. Muniswamy Selvraj. In his examination in chief by way of affidavit stated that he was working with the first party from 1-1-97 in Officers Mess as Waiter and he was staying in the quarter which was allotted to him by

the first party and his quarter No. is F/1/9 and stated the same thing as per the statement of earlier witness. In cross-examination he has stated that he is studied upto 8th Std. He does not know the signatory of the statement of claim and presently he is working in the employment of the first party on contract basis. He has admitted that he was in the employment of first party from 1-1-97. Questions were put to him about Employment Exchange, Advertisement, first party belongs to Central Government, contribution paid by the officers to the Mess. He has admitted that in the year 1997 he was being paid Rs. 20 per day. He has denied other suggestions given to him in the cross-examination.

The fourth witness is examined by the second party at Exh. U-14 Smt. Janabai Laxman Gundgal. In her examination-in-chief by way of Affidavit she has stated that she was in the employment of the first party Officers Mess from 16-5-91 as washer-up and stated same thing as per statement made by earlier witness of the second party. In cross-examination she has stated that she is educated upto 8th Std. She does not remember her date of birth. She was working in first party Officers Mess since 11 years but she cannot tell the exact date or year of the appointment. She was doing the work of washing utensils. Initially she was getting Rs. 300/- p.m. And lastly she was getting Rs. 700/- p.m. She has admitted that wages were deducted for absence on holiday. She stated that there are 3 to 4 Mess in the first party and the officers of the Officers Mess was giving her wages. She has denied other suggestions given to her in the cross-examination.

The second party has examined the fifth witness Smt. Kusum Dadu Goadsingh at Exh. U-15. In her examination in chief by way of affidavit stated that she was working with first party from 25-10-87 as Washer-up and stated the same things as per earlier witness. In cross-examination she has stated that statement of claim is not signed by her. She has not filed any documentary evidence in respect of quarter. She has stated that she was working since 25-10-87 as mentioned in the affidavit, in the Officers Mess. She has denied other suggestions given to her in cross.

The sixth witness of the second party is examined at Exh. U-16 Smt. Rukmani Pandurang Navgire. In her examination in chief by way of affidavit stated that she was working with first party Officers Mess from 17-5-91 as Washer-up and stated the same thing as per the earlier witness. In cross-examination she has stated that she is not having any documentary evidence to show that she was working since 17-5-91 as Washer-up in Officers Mess. The questions were put to her about identity card given by first party, she has not filed any documentary evidence regarding her uninterrupted service. She has not entered her name with Employment Exchange. She has denied other suggestions given to her in cross-examination.

The seventh witness of the second party Smt. Shanta Ankush Jagtap is examined at Exh. U-17. In her examination in chief by way of affidavit stated that she was working with first party Officers Mess from 22-5-96 as Kitchen helper. She was staying in the quarters No. F/11/06 and made statement as like earlier witnesses. In cross-examination she has stated that affidavit was drafted by her counsel as per her instruction. She has no documentary evidence with her in respect of her employment with the first party. She has denied other suggestions given to her in cross-examination.

The eighth witness of the second party Mr. Krishnan Mayavelu is examined at Exh. U-18. In his examination in chief by way of affidavit stated that he was in the employment of the first party from 1-9-93 as Msalchi and made statement as like other witnesses of the second party. In cross-examination he has stated that he was doing the work of cutting vegetables. The work was allotted to him by the officers of the Officers Mess. He has admitted that there was fluctuations in the members of the Officers Mess. He has denied other suggestions given to him in cross-examination.

The first party has examined Mr. Damodar Wasudeo Nandanwar at Exh. C-22. In his examination in chief by way of affidavit stated the same thing as per the stand of first party in written statement. In cross-examination questions were put to him about xerox copy of notification dtd. 17-4-79 which is at Exh. C-12/A. Questions were put to him about the letter dtd. 19-12-05 which is issued by Defence Research & Development which is at Exh. C-12/B by which the first party was approved as Deemed University. Another letter dtd. 15-10-99 issued by UGC by which the establishment of the first party was declared as Deemed University which is at Exh. C-12/C. The questions were put to this witness about regular employees of the first party working in Officers Mess since 1997. Questions were put to the witness about various persons working with the first party company as gardener, cook, waiter whether belongs to open category or reserved category. He has admitted that the first party decides regarding allotment of the quarters to the employees and further admitted that some of the employees involved in the reference are residing in residential quarters. Questions were put to him about various letters produced on record. Questions were put to him about various courses conducted in the first party institute. He has admitted that candidates from Defence as well as from Civil Service participate in the course. He has stated that the first party gave training to the candidates who are not in Government services. He does not have any personal knowledge about service conditions of the employees who are working in the Officers Mess. He has further admitted that Officers Mess is not registered under any law and officers of the IAT used to look after the day-to-day management of the Officers Mess. He has

denied other suggestions given to him in the cross-examination.

The second witness of the first party is examined at Exh. C-25. Mr. Rabindrababu Banwari Varma in his examination in chief by way of affidavit stated the same thing as per the stand of the first party in written statement as well as the documents produced on record by the first party. In cross-examination he has stated that he is working in the establishment of the first party since 1987. He was appointed on the application submitted by him and not through the employment exchange. He has no concern with the recruitment or appointment of the staff. He used to visit the Officers Mess once in a week as he is the member of the Officers Mess. He has stated that about 250 Class-I officers are the members of the Officers Mess. It includes civilian, army, navy and foreign officers. Questions were put to him about all the departments available in the Mess. He has admitted that building premises of Officers Mess belongs to first party. The building and furniture of Officers Mess belongs to first party. The questions were put to him about the documents produced on record. He has stated that Officers Mess is maintaining the muster-roll and payment register of the employees working in the Officers Mess. He has stated that first party is giving M. Tech. degree and also conducting defence in short courses and these courses are allowed for civilians also. He is not aware about W.P. No. 131/99 in respect of these employees. He has denied other suggestions given to him in the cross-examination.

7. With the help of material on record I have heard the argument of advocates for both the parties at length and both of them have submitted their case as per material on record.

I have already pointed out that the Central Government through Ministry of Labour referred the present industrial dispute under exercise of powers conferred under Sec-10(1)(d) of the I.D. Act in respect of 11 workmen involved in the present Reference whose names are mentioned in the list attached to the schedule to the order of the Reference. It appears from record the name of Smt. D. Kusumbai Gadsingh, Room Attendant was deleted as per order of My Ld. Predecessor on 20-2-09 as per pursuies Exh. /U-21. Thus now the dispute is in respect of 10 workmen involved in the present reference.

According to the second party it is registered trade union and present Reference is filed on behalf of the workmen involved in present Reference. However according to the first party the second party union has no locus standi to file the present Reference, but the workmen deposed in the matter whose evidence is referred above have categorically stated that they are workmen involved in the present reference and they are prosecuting their demand through present Reference through union. I can understand that if general demands are there, there

can be a question whether union has locus standi to prosecute the general demands of the workmen working in the establishment of the employer, but in the present Reference the termination is under challenge and workmen in their individual capacity has every right to prosecute their demand in respect of their reinstatement with continuity of service and full back wages by challenging their termination. Under these circumstances in my opinion the present Reference is perfectly maintainable in this court and the second party union has every right to represent the workmen involved in the present Reference.

8. It is contention of the second party that first party designs, manufactures and stores various types of engineering products in the workshop and producing various goods with the help of power and employs more than 50 employees and is a factory under the Factories Act and also an industry. The second party also contended that the first party is also a Research Institute, it trains civilians and defence officers in various techniques and runs regular courses. The first party in written statement contended that it is engaged in discharging sovereign functions as such it is not an industry. There is no employer-employee relationship between the workmen involved in the present Reference and the first party. The first party is not an industry, the first party is not a factory. Thus according to the first party the Reference itself is not maintainable.

The first witness of the first party has categorically admitted in cross-examination that UGC as well as Defence Ministry have declared first party institute as Deemed University. The first party is conducting short term courses and also conducting degree courses. It is pertinent to note that first party himself has produced on record with list Exh. C-12 notification dtd. 17-4-1979 issued by the appropriate Government in relation to Factories Act i.e. Government of Maharashtra in relation to first party institute giving exemption in respect of certain provision (not all) in respect of Factories Act and the said notification is at Exh. C-12/A, which is proved document. Thus it is clear that first party is also a factory therefore first party requested for exemption under the Factories Act from certain provisions and accordingly exemptions were granted but not in relation to Sec-46 of Factories Act.

9. Now in view of the ratio of Bangalore Water Supply case Industries like educational institutes are an industry. As such admittedly the first party institute is an industry within the meaning of Sec-2(j) of the I.D. Act. No doubt as per Sec-2(s) of the I.D. Act the category of workmen who is subject to Air-Force Act, Army Act and Navy Act are not included in definition of workman, but it is not the case of the workmen involved in the present Reference or the second party in this matter the workmen involved in the present Reference are the workmen of first party. The second party as well as workmen involved in

the present Reference have categorically stated in their statement of claim as well as in their evidence that they are the workmen working with the Officers Mess of the first party and this position is not denied by the first party in this matter. It is pertinent to note that the witness of the first party has admitted in the cross-examination that Officers Mess is not a statutory body nor it is registered under the Trust or Society Act, but Officers Mess is formed by the officers of the first party and workmen involved in the present Reference were working in the Officers Mess and this position is also admitted by the second party as well as first party in the present Reference. It is pertinent to note that the Central Government while making the Reference to this Tribunal made following reference in the Reference order mentioned in the schedule reads as under :

"Whether the action of the management of Indian Armament Technology, Girinagar, Pune in terminating the services of 11 workmen (list enclosed) of Officers Mess appended hereto is legal and justified? If not, to what relief the said workmen are entitled to?"

If the wording in the schedule to the Reference is properly seen it can be said that Reference is made to this tribunal in respect of workmen of the Officers Mess of the first party, and present reference is not in relation to the workmen of the first party. Once it is admitted position on the record that these workmen were working in Officers Mess of the first party, it is clear that first party has ultimate control over these workmen as these workmen were working in the premises of the first party. The first party has provided premises to the Officers Mess, under the Factories Act canteen is statutory facility. There were and there are some direct employees of the first party viz. cook, waiter of the first party are working in the Mess. It is pertinent to note that first party has allotted quarters to some of the workmen involved in the present reference this is an admitted position. These workmen in their evidence have categorically stated that they were continuously working with the first party Officers mess from the date of their appointment and they were given entry pass, identity card by the first party for security purposes. Under these circumstances in absence of any contract in between these workmen and the first party it cannot be said that first party has no relation with these workmen involved in the present reference. Thus on this background I am of the considered view that the present dispute between the workmen involved in the present reference who were workmen of Officers Mess is perfectly maintainable in this Tribunal, hence I answer Issue No. 1 in affirmative.

10. I have already pointed out that 10 workmen involved in the present Reference were working with the first party Officers Mess from the date of their appointment

as mentioned in the statement of claim and documents produced on record, they were continuously working with the Officers Mess of the first party and completed 240 days service in each year and it was obligatory on the part of the Officers Mess of the first party while terminating their services to follow the mandatory provisions of Sec-25F of the I.D. Act and admittedly none of the provisions of labour laws is followed by the first party Officers Mess in this matter. After reading the Reference Order it appears that as per direction of the Hon'ble High Court in W.P. No. 3214/99 the present Reference is made to this Tribunal. Thus the workmen involved in the present reference might be appointed on temporary basis, on ad hoc or on daily wage basis, but it is proved on record that they were continuously working with the first party Officers Mess and completed 240 days of their services in each year. As such it was obligatory on the part of the first party Officers Mess to follow mandatory provisions of labour laws while terminating their services and admittedly the Mandatory provisions of Sect-25F of the I.D. Act have not been followed as such the second party has proved in this matter the termination of the workmen involved in the present reference is illegal and totally unjustified, hence I answer Issue No. 2 in affirmative.

11. In view of my findings on above Issues it is clear that the second party workmen are entitled for relief of reinstatement and continuity of service as referred. The evidence in respect of gainful employment of 10 workmen is totally silent in the present Reference, nor the first party has disputed that these workmen were gainfully employed after their termination. Thus considering that these workmen worked on meagre wages even inspite of direction of the Commissioner of Labour Central these workmen were not paid minimum wages by the Officers Mess of the first party. In my opinion this is a fit case to direct the first party Officers Mess to pay full back wages to the 10 workmen involved in the present reference. However if statement of claim of the second party Exh. U-4 is perused what is their prayer in their statement of claim that workmen to be reinstated in their original post with continuity of service and full back wages from 24-4-97. In my opinion this a fit case of relief to the 10 workmen involved in the present Reference is granted as it is in respect of reinstatement with continuity of service and full back wages from 24-4-97 is tollay justified having regards to the facts and circumstances of the case. However, as pointed out above the name of one workman Smt. D. Kusumbai Gadsingh, Room Attendant is deleted from the present Reference, hence to that effect she is not entitled for any relief in the present reference. In view of this it is clear that the present reference is liable to partly allowed, hence, I answer Issue Nos. 3 & 4 accordingly and proceed to pass the following award :

AWARD

1. The Reference is partly allowed in respect of 10 workmen involved in the present Reference. The reference in relation to workman Smt. D. Kusumbai Gadsingh, Room Attendant stands rejected.
2. The 10 workmen involved in the present reference are entitled for reinstatement with continuity of service and full back wages w.e.f. 24-4-97.
3. The Officers Mess of first party to implement the said award.
4. No order as to costs.
5. Copies be sent to the appropriate authorities.

Pune : M.G. CHOUDHARY, Presiding Officer

Date 11-10-2010

Sd/-
(D.G. Dake)
Secretary,
Industrial Tribunal, Pune.

नई दिल्ली, 10 फरवरी, 2011

का. आ. 706.—औद्योगिक विवाद अधिनियम, 1947 (1947 का. 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय जीवन बीमा निगम प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या 120/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-2-2011 को प्राप्त हुआ था।

[सं. एल.-17012/13/2005-आई आर (बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th February, 2011

S.O. 706.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 120/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Life Insurance Corporation of India and their workmen, which was received by the Central Government on 8-2-2011.

[No. L-17012/13/2005-IR (B-1)]
RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

PRESENT :

N. K. Purohit, Presiding Officer.

I.D. No. 120/05**Reference No. L-17012/13/2005-IR (B-I) dated
21-10-2005**

Shri Surendra Kumar,
S/o Shri Raja Ram Giri,
R/o Dhan Mandi, Q. No.15,
Sri Ganganagar, Rajasthan

V/s.

The Divisional Manager,
Life Insurance Corporation of India,
Sagar Raod, JN Vyas Colony,
Bikaner.

AWARD**Dated : 28-01-2011**

1. The Central Government in exercise of the powers conferred under clause (d) of Sub-sections (1) & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following industrial dispute to this Tribunal for adjudication which runs as under :

"Whether the Claimant Shri Surendra Kumar S/o Shri Raja Ram was in continuous service as defined under Section 25B of the I.D. Act, 1947 in LIC of India, branch Jawahar Nagar, Sri Ganganagar as class IV employee from 1-4-2001 to 30-12-2003. If yes, his discontinuation from service by the management from 30-12-2003 is legal and justified? If not, what relief claimant is entitled to and from which date?"

2. The applicant workman in his claim statement has averred that he was initially appointed as class IV employee by the Branch Manager of the non-applicant bank w.e.f. 1-4-2001. He was appointed against a vacant and permanent post and his salary was fixed as Rs. 1800 per month which was increased after 3-4 months and fixed as Rs. 2000 per month. He has further averred that initially the applicant was paid salary in his own name but thereafter for some intervals fictitious names of class IV employees were mentioned while throughout the tenure from 1-4-2001 to 25-9-2001, the applicant had continuously performed the duty of class IV employee. The salary for the said period was also drawn by him. It has also been averred that despite the applicant had regularly and continuously performed duties w.e.f. 1-4-2001 to 30-12-2003 and has completed more than 240 day in a calendar year, his service was terminated on 30-12-2003 in violation of Section of 25(F) of I.D. Act, It has been alleged that while terminating his services juniors to the applicant were working with the non-applicant and no seniority list was prepared by the employer. Therefore, his termination is in violation of Section 25(G) and Rule 77 of the Central Rules. It has also been alleged that after his termination new recruitments have been made without affording him an

opportunity of employment in violation of the Section 25(H) and Rule 78 of the Central Rules. The applicant has prayed for his reinstatement with full back wages and consequential benefits.

3. The non-applicant in its written counter has submitted that the applicant was appointed as temporary Waterman for the period 17-4-2002 to 8-7-2002 for 83 days only. His services automatically come to an end on 8-7-2002. Thereafter, he was again appointed as Waterman for the period 8-7-2003 to 30-9-2003 for 85 days on temporary basis under Regulation 8 of Life Insurance Corporation of India Staff Regulation, 1960 and after expiry of the said period of 85 days the services of the applicant automatically come to an end. Thus, the claim of the applicant is not maintainable as per Section 2(oo)(bb) of the I.D. Act

4. The non-applicant has denied that the applicant had continuously worked from 1-4-2001 to 30-12-2003 and has completed 240 days in any calendar year. It has also been denied that for some intervals fictitious names of class IV employees were mentioned. It has also been denied that junior to the applicant were retained in violation of Section 25(G) and new recruitments were made in violation of Section 25(H) of the I.D. Act.

5. The claim statement was filed on 27-1-2006 and document in support of the claim were filed on 15-5-2006. Subsequently, at the stage of filing document on behalf of the non-applicant ex-party proceedings were drawn against the applicant on 19-8-2010. In above factual backdrop there is no oral evidence in support of the claim statement.

6. The non-applicant has submitted the affidavit of management witness Shri M.P. Singhal on 9-12-2010 in support of its case.

7. Heard the arguments of the learned representative on behalf of the non-applicant and perused the record.

8. The following points crop-up for consideration.

- (i) Whether the applicant was in continuous service as defined under Section 25(F) of the I.D. Act with non-applicant from 1-4-2001 to 30-12-2003 whose service was terminated on 30-12-2003 in violation of Section 25(F) of the I.D. Act ?
- (ii) Whether junior to the workman were retained while terminating the service of the applicant in violation of Section 25(G) of the I.D. Act ?
- (iii) Whether after termination of services of the applicant, without offer of employment to the applicant new persons have been recruited in his place in violation of Section 25(H) of the I.D. Act ?

Point No. 1 :

9. It is well settled that to attract the provisions of Section 25(F) initial burden is on the workman to establish that he had continuously worked for more than 240 days during preceding 12 months from the date of his alleged termination. In the present case the non-applicant has denied the claim of the applicant. Therefore, it was for the applicant to prove that he had worked for at least 240 days during preceding 12 months from the date of his alleged termination i.e. 30-12-2003 or he had worked continuously for one year during any calendar year.

10. The applicant has only produced photo copies of following documents :

- (i) Letter of the Branch Manager, LIC dated 21-4-2003 addressed to Branch Manager, SBI, Sriganagar pertaining to challans of income-tax.
- (ii) Letter of the Branch Manager, LIC to the Post Master for issuing revenue tickets to the applicant dated 24-4-2003.
- (iii) Vouchers dated 1-5-2003 and 2-6-2003 pertaining to Harjendra.
- (iv) Letter of the Branch Manager, LIC to Income Tax Officer for income-tax challan form dated 5-6-2003.
- (v) Letter received from Assistant Director, Social Welfare dated 21-6-2003 to the Branch Manager, LIC for issuing LIC Schedules.
- (vi) Letter of the branch Manager, LIC addressed to Branch Manager, SBBJ, Sriganagar for giving T-6 challan form service tax dated 5-7-2003.
- (viii) Payment vouchers dated 1-8-2003, 1-9-2003 and one payment voucher undated whereby some payments were made to the applicant.
- (viii) Appreciation letter issued by District President of Rajasthan Sahayak Karamchari Singh, Sriganagar.

11. On perusal of the documents produced by the applicant, it is evident that they are pertaining to the period from April, 2003 to September, 2003 only. Therefore, on the basis of said documents, it is not established that prior to his alleged date of termination i.e. 30-12-2003, he had worked for more than 240 days preceding 12 months from the date of his alleged termination.

12. The management has submitted the affidavit of Shri M. P. Singhal in support of his case who has deposed that the applicant had worked as Waterman only during the period from 17-4-2002 to 8-7-2002 for 83 days and for the period 17-4-2002 to 8-7-2002 on Rs. 60 per day subject

to maximum amount of Rs. 1560 per month and his services automatically come to an end on the expiry of the said periods.

13. The non-applicant has produced documents Ex. M-2 to Ex. M-6. Ex. M-2 is appointment letter dated 8-4-2002 for temporary workman for the period 17-4-2002 to 8-7-2002 (85 days). Ex. M-3 is applicant's application for appointing him as Waterman. Ex. M-4 is another appointment letter dated 8-7-2003 whereby he was appointed as Waterman for the period 8-7-03 to 30-9-2003. Ex. M-5 is appointment letter dated 16-7-2003 appointing him for 85 days w.e.f. 8-7-2003. Ex. M-6 is an application of the applicant wherein request has been made to appoint him as class IV employee. The deposition of the management witness also finds support from the said documents Ex. M-2 to Ex. M-5 adduced by the non-applicant.

14. There is no cross-examination on the affidavit of the management witness. There is no oral evidence in rebuttal. Thus, there is no reason to disbelieve the version of the non-applicant. The applicant has failed to prove that he had continuously worked with the non-applicant during period 1-4-2001 to 30-12-2003. He has also failed to prove that he had at least worked for 240 days during preceding 12 months from the date of his termination i.e. 30-12-2003.

Point Nos. 2 & 3 :

15. It has been alleged in the claim statement that juniors to the applicant were retained in the service and no seniority list was prepared. It has also been alleged that after termination, without offer of employment to the applicant new persons have been recruited in his place. But there is neither oral evidence nor any documentary evidence of the applicant in support of above pleadings. Mere pleadings are no substitute for proof. Therefore, the applicant has also failed to establish alleged violation of the provisions under Section 25(G) and 25(H).

16. In view of the above discussions the reference under adjudication is answered in negative. Resultantly, the applicant workman is not entitled to any relief as claimed by him. The reference under adjudication is answered accordingly.

17. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 10 फरवरी, 2011

का. आ. 707.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी एस एन एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 20/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-2-2011 को प्राप्त हुआ था।

[सं. एल.-40012/86/2004-आई आर (डी. यू.)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th February, 2011

S.O. 707.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 20/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BSNL and their workman, received by the Central Government on 10-2-2011.

[No. L-40012/86/2004-IR (DU)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT:

Dr. Manju Nigam, Presiding Officer

I.D. No. 20/2006

Reference No. L-40012/86/2004-IR (DU) dated :
4-8-2006

BETWEEN

Shri Phool Kunwar,
S/o Late Shri Ram Samujh Choudhary,
Village Girdharpur, PO-Chokhra,
Distt. Sidharthnagar (UP).

AND

1. The Chief General Manager,
BSNL, Telecom, UP (East) Circle,
Lucknow
2. The Divisional Engineer,
BSNL, Telecom (Maintenance),
Telephone Exchange, Kesar Baugh,
Lucknow

AWARD

1. By Order No. L-40012/86/2004-IR (DU) dated 4-8-2006 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Shri Phool Kunwar, S/o Late Shri Ram Samujh Choudhary, Village-Girdharpur, PO- Chokhra, Distt. Sidharthnagar (UP) and the Chief General Manager, BSNL, Telecom, UP (East) Circle, Lucknow and the Divisional Engineer, BSNL, Telecom

(Maintenance), Telephone Exchange, Kesar Baugh, Lucknow for adjudication.

2. The reference under adjudication is :

"Whether the action of the management of Chief General Manager, BSNL, Telecom, U.P. Circle, Lucknow/Divisional Engineer, BSNL, Telecom (Maintenance), Telephone Exchange, Kesar Baugh, Lucknow in terminating the services of their workman Shri Phool Kunwar, w.e.f. 27-7-2001 is legal and justified ? If not, to what relief the workman is entitled to and from which date ?"

3. The case of the workman in brief is that the workman was appointed by the management of BSNL, on 26-3-1991 on the sanctioned post of Lorry/Jeep Driver on being his name sponsored by the Employment Exchange and he worked accordingly, up to 2001 for more than 240 days in each year, in a stipulated pay scale/salary like regular Driver's salary. It has been alleged by the workman that his services were terminated in an arbitrary manner vide impugned order dated 27-7-2001, without affording any opportunity to the workman, such as notice or notice pay in lieu thereof, in violation of Section 25-F. It has further been alleged by the workman the opposite party has not only retained workmen junior to him but also has granted them temporary status; and accordingly, the management has violated the provisions of Section 25-H. He has referred name of one Shri Udai Bhan Mishra in this respect. The workman has also alleged that the management after terminating his services appointed several casual labourers and granted them temporary status, in this regard he has referred names, such as Shri Rajesh Kumar Shukla, Shri Om Prakash and Shri Rudra Mani Pandey. Accordingly, the workman has prayed that the impugned order dated 27-7-2001, terminating the services of workman, in contravention to the Industrial Disputes Act, 1947, be set aside and he be reinstated with all consequential benefits, including continuity in service, back wages and regularization in service etc.

4. The opposite party has disputed the claim of the workman by filing its written statement wherein it has submitted that the workman was engaged as casual Lorry Driver, as stop gap arrangement, in March, 1991 and worked as such up to 24-5-2001; and when regular Lorry Driver joined his duties, his casual engagement came to an end for which he was paid salary of one month in lieu of notice, as such, it has not contravened any provisions of the Industrial Disputes Act, 1947. Further, it has been submitted by the management that the grant of temporary status is irrelevant in the present case as the workman was engaged on casual basis against Group 'C' post of Lorry Driver whereas the claim for grant of temporary status is available to casual labourer equivalent to Group 'D' staff. The opposite party has also raised objection regarding maintainability of the present reference order

on the ground that the workman is not a workman as he had worked as casual employee performing the work of Lorry Driver. Accordingly, the opposite party has prayed that the claim of the workman be rejected without any relief to him.

5. The workman has filed rejoinder whereby he has only reiterated his averments in the statement of claim and has introduced nothing new.

6. The workman has filed documents in support of his claim whereas the opposite party did not file any. The workman has examined himself; whereas the opposite party examined Shri Chandra Shekhar Mishra, SDE (Admin.), in support of their respective cases. The parties filed their written arguments apart from submitting oral submissions in support of their case.

7. Heard, representatives of both the parties and scanned the entire evidence on record.

8. The workman Shri Phool Kunwar has stated in his statement on oath that he had worked as casual Driver from March, 1991 to 27-7-2001; and at last he was getting @ about Rs. 134 per day and bonus as payable to Group 'D' employee. He has further stated that his services were terminated on joining of regular driver. He has alleged that Uday Bhan Mishra and Pankaj Tiwari, who were junior to him were regularized by the opposite party.

9. In rebuttal, the management witness Shri Chandra Shekhar Mishra, SDE has stated that the workman was engaged as casual Lorry Driver in March 1991, as the regularly recruited Lorry Driver were not available accordingly, the engagement of the workman was purely as a stop gap arrangement on casual basis. The engagement of the workman came to end after the availability of regular driver. He was also paid one month salary in lieu of the notice. The management witness has also stated that the claim of grant of temporary status is not applicable to the employees who are working against the Group 'C' post of Lorry Driver. In cross examination, the witness, Shri Chandra Shekhar Mishra has reiterated that the workman worked from March, 1991 to 20-5-2001 as Group 'C' worker accordingly, he was given for disengagement from Group 'C' category.

10. The learned representative on behalf of the workman has contended that the workman was engaged as daily wager though work of Driver was taken. The opposite party has treated the workman in Group 'C' category of the employee without paying wages payable to the casual driver i.e. Rs.176.15 per day. Since the workman had worked for 10 years continuously, therefore he was entitled for the grant of temporary status. The opposite party has granted temporary status to the junior casual labours ignoring the claim of the workman. He has also contended that issue raised in representation dated 22-9-2000 submitted to the Chief General Manager, Telecom

BSNL to treat the workman as casual labour was not involved in the O.A decided by the Central Administrative Tribunal, Lucknow. Further the workman was getting wages and bonus available to the casual labour of group 'D'. He has further contended that post of group 'C' and 'D' employees are available but the opposite party has adopted a pick and choose policy & retained the juniors to the workman in the services and terminated the services of the workman illegally. Thus, the termination order is unjustified and illegal.

11. Per contra, the learned representative on behalf of the management has urged that the workman was engaged as casual Lorry Driver in purely stop gap arrangement till the availability of the regular Lorry Driver. His services were disengaged when the regular Lorry Driver joined his duty on 24-5-2001 after paying one month salary in lieu of notice. He has further urged that earlier the workman had approached to the Central Administrative Tribunal, Lucknow for regularization on the post of Lorry Driver on the ground that he had been working as Lorry Driver and also claimed the benefit of the scheme of granting of temporary status but his claim was rejected on the ground that the scheme of grant of temporary status was not applicable to Lorry Drivers which is a group 'C' post. The workman filed writ petition against the said order but the same was withdrawn. The workman has failed to prove that he was basically performing the work of casual labour and whenever there was any need he used to drive the vehicle also. He has further urged that the workman himself has admitted in his representation dated 22-8-2000 that he was working as casual Lorry Driver, thus, he is not entitled for any relief.

12. Having gone through the rival submissions made by both the parties, it reveals that it is not disputed that the workman had worked under the opposite party from March, 1991 to 24-5-2001. The contention of the workman is that he was appointed as temporary lorry driver and has completed more than 240 days since 1991 to 2001 against duly sanctioned post in the pay scale of regularized drivers salary. Even after completion of 11 years of service, his services were not regularized like other persons who were juniors to him, in accordance with provision of law. Further, it was also contended in the claim statement that workman and two other casual lorry drivers requested to appoint them against 50% quota on the post of regular Lorry Drivers but no heed were given on his request and was thus, illegally deprived of the appointment while the casual labours have been granted temporary status. His claim for the post of regular lorry driver was ignored and his services were terminated in arbitrary and punitive manner, in violation of principles of natural justice and provisions of Section 25F and 25G and H of the I.D. Act. It was submitted that several daily wager/casual labour has been appointed after the termination of the services of the applicant and had been granted temporary status e.g. Om Prakash who

joined duty on 4-6-1991 and was given temporary status on 12-2-1999 and Chandra Bhushan Singh who joined services on 12-2-1999 got temporary status mazdoor on 12-2-1999. One Udai Bhan Mishra who was too junior to the applicant was appointed on the post of temporary Lorry Driver in the pay scale of Rs. 4720-6970 vide order dated 2-4-2004 by GMTD, Gorakhpur. Besides it was also submitted that applicant was entitled to get a temporary status after three years on the basis of Scheme of 89.

13. It is well settled that if a party challenges the illegality of the order, the burden lies upon him to prove illegality of the order. In the instant case, the burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove the illegality in termination.

14. It was the case of the workman that he was engaged as casual lorry driver and he had worked as such for 10 years, therefore, the action of the management in not granting temporary status and not regularizing and disengaging him from the services is in violation of Section 25F of the Industrial Disputes Act, 1947. The claim of the workman has been denied by the management and it was contended that scheme of grant of temporary status is not applicable to lorry drivers which are group 'C' post. The burden is on the workman to prove that casual lorry drivers were regularized or given temporary status.

15. Admittedly, the Original Application No. 544/2000 was filed by the workman before the Central Administrative Tribunal, Lucknow for regularizing him as Lorry Driver and the said O.A. was disposed of by order dated 12-1-2001, with direction to make individual representation to the department in this regard.

16. In pursuance of the above order of the CAT, Lucknow dated 12-1-2001, the opposite party after considering the representation of the workman dated 22-1-2001, SDE, Telephone, Kesar Baugh, Lucknow intimated him vide its letter dated 21-3-2001 that the post of Lorry Driver comes under Group 'C' cadre as such regularization cannot be done in the cadre of Lorry Driver.

17. Subsequently, aggrieved with the said order dated 21-3-2001, the workman filed O.A. No. 217/2001 and 333/2001 for regularization of his services on the post of Lorry driver and challenged the order of management dated 21-3-2001 by which his representation for regularization was rejected and for quashing the order dated 24-5-2001 by which he was disengaged. On the above said O.A. of the applicant and O.A. of the other two applicants No. 215/2001 and 334/2001, in respect of Om Prakash and O.A. No. 218/2001 and 325/2001 in respect of Ravindra Kumar Verma, which was disposed of by single order, it was observed by the Administrative Tribunal vide order dated 21-12-2001 that "earlier three applicants filed different O.As for grant of temporary status and regularization. However,

as the representation had not been decided all the three O.As were decided with the directions to the respondents to take decision on the representation and to communicate the same to the applicant." The other submissions of the learned authorized representative of the applicant is that the post on which applicant was working has been filled up by transfer and not by making fresh recruitment. Same point was taken before the Administrative Tribunal in OA No. 217/2001 and 333/2001 wherein it was observed by the Administrative Tribunal "that vacant post can be filled by promotion by direct recruitment or even by transfer. It was further held that since the three posts on which the applicants were working have been filled by transfer of regular employees, hence the applicants have no claim to continue on such post. A casual lorry driver has no right on a post to which a regular lorry driver has been transferred." It was submitted before the Administrative Tribunal that applicant alongwith two others had already sent a representation on 22-9-2000 to Chief General Manager, Telecom for treating applicants as casual labour, in this regard Administrative Tribunal has observed that 'such issue was not involved in the O.A. so, no such direction can be given.' All the O.As, including OA No. 217/2001 and 333/2001 in respect of the workman, were dismissed. Aggrieved by said order of CAT dated 21-12-2001, the workmen preferred a writ before the Hon'ble High Court of Allahabad, Lucknow bench, but the same was withdrawn by him.

18. Thus, it is evident from the claim statement as well as from the representation, paper No. 6/20 that workman was initially engaged as a casual Lorry Driver and has worked for nine years as such. Since the post of Lorry Driver comes under Group 'C' hence, he is not entitled to get the benefit of scheme for grant of temporary status. It was submitted by the learned authorized representative that many casual Lorry Drivers have been granted temporary status but there is not a single iota of evidence to prove the workman's contention. It was submitted by the opposite party that the labours who were granted temporary status were casual labours not casual Lorry Drivers. The workman could not adduce any evidence which shows that any casual Lorry Driver has been granted temporary status.

19. It is the case the workman that he was appointed as casual Lorry Driver which is Group 'C' cadre. Therefore, he is not entitled to get the benefit of scheme of regularization or for grant of temporary status and also not entitled for regularization. As has been observed by the Administrative Tribunal in OA No. 217/2001 and 333/2001, in respect of the workman, vide their order dated 21-12-2001 as under :

"The question of regularization on the post of Lorry Driver, which is a group 'C' post does not arise. The applicant's claim for regularization is therefore, without

merit. Consequently, all the three O.As No. 215, 217 and 218 of 2001 are found devoid of merit and are liable to the rejected."

Aggrieved from said order dated 21-12-2001 of the Administrative Tribunal, the workman filed a Writ petition before Hon'ble High Court but same was withdrawn by him and accordingly, the order dated 21-12-2001 becomes final.

20. Thus, in view of the above discussions, the workman has failed to prove that casual Lorry Driver has been absorbed or given temporary status. He has also failed to prove that he was engaged as casual labour and he had worked as such under group 'D' cadre for 10 years and his services have been terminated in violation of provisions of the Industrial Disputes Act, 1947.

21. Therefore, the action of the opposite party in not granting temporary status and terminating the services of the workman w.e.f. 27-7-2001 is neither illegal nor unjustified. Accordingly, the workman is not entitled to any relief.

22. The reference under adjudication is answered accordingly.

23. Award as above.

LUCKNOW

25-9-2011

Dr. MANJU NIGAM, Presiding Officer

नई दिल्ली, 11 फरवरी, 2011

का. आ. 708.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 42/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-2-2011 को प्राप्त हुआ था।

[सं. एल.-12012/117/2008-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 11th February, 2011

S.O. 708.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 42/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 7-2-2011.

[No. L-12012/117/2008-IR (B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL- TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

Present :

Shri J. Srivastava, Presiding Officer,
C.G.I.T.-cum-Labour Court,
Bhubaneswar

Industrial Dispute Case No. 42/2009

Date of Passing Award—31st January, 2011

Between :

The Management of the Chief General Manager,
State Bank of India, LHO, Pt. Jawahar Lal
Nehru Marg, Bhubaneswar, Orissa

The Branch Manager, State Bank of India,
At./P.O./Distt. Phulbani

... 1st Party-Management

AND

Their workman Shri Bijay Nayak,
At. Darada, P.O. Arapaju,
Via. Khajuriguda, Distt. Kandhamal,
Orissa

... 2nd Party-Workman

Appearances :

Shri P. K. Mohanty,
Chief Manager (Law)

... For the 1st Party-
Management

None

... For the 2nd Party-
Workman

AWARD

The Government of India in the Ministry of Labour has referred the present industrial dispute existing between the employers in relation to the Management of State Bank of India, LHO and their workman in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-Sections 2(A) of Section 10 of the Industrial Disputes Act, 1947 vide letter No. L-12012/117/2008-IR (B-I), dated 9-11-2009 in respect of the matter specified in the schedule as quoted below :

"Whether the action of the Management of Chief General Manager, State Bank of India, Orissa Circle, in not re-employing Shri Bijay Nayak, Ex-Temporary Messenger in services, is justified ? If not, what relief is the applicant entitled ?"

2. In pursuance of the order of reference the 2nd Party-workman has filed the statement of claim. The case of the 2nd Party-workman is that he had worked as a temporary messenger in Gochhapara Branch of State Bank of India from 1-10-1985 to 31-3-1986 and as daily wage messenger at Phulbani Branch of State Bank of India from the year 1986 to 31-7-1989. He was called for interview in the year 1989 for the post of messenger and was placed at Sl. No. 17 in the panel list. He waited till 1995, but he was not engaged. In the year 1995 he approached the Hon'ble High Court of Orissa by filing O.J.C. No. 6784/1995. The Hon'ble High Court directed the 1st Party-Management to consider the representation of the petitioners including the 2nd Party-workman, if the petitioners make any representation to the Management within a period of four weeks. The 2nd Party-workman and other petitioners attended the interview held for personal hearing at Regional Office Branch, Phulbani on 22-3-2007 in pursuance of the order of the Hon'ble High Court. But the joint representation of the petitioners including the 2nd Party-workman was rejected by the Chief Regional Manager on 26-3-2007. It was also learnt that the panel list of 1997 was cancelled. Although he had completed 280 days service in one calendar year, yet he was not given any appointment while those who had completed 240 days have been given appointment. Therefore he has prayed for re-employment as messenger in the State Bank of India with payment of accrued benefits.

3. The 1st Party-Management has stated in its written statement that the appointment of messengers pursuant to different settlements between the Management of State Bank of India and All India State Bank Staff Federation has attained finality after the judgement of the Hon'ble High Court of Orissa in the matter of "Abhimanyu Mandal and others-versus-State Bank of India" decided on 15-5-1998. Any re-employment or direction for re-appointment would be totally against the spirit of the judgement of Hon'ble High Court of Orissa as well as Apex Court of India. Moreover all the panels have expired with effect from 1-4-1997. Now the disputant-workman is estopped from challenging the same after lapse of the panel. The disputant-workman alongwith 10 others were given a personal hearing as per directions of the Hon'ble High Court of Orissa in O.J.C. No. 6784/95. Their grievances were heard on their representations and their representation was rejected on 26-3-2007 by a reasoned order. The Hon'ble Supreme Court in the case of "Uma Devi-versus-State Bank of Karnataka" has held that there is no fundamental right in those who have been employed as daily wagers or on temporary/contractual basis to claim right of absorption in service. Being aggrieved by the rejection of their representation by the Management of State Bank of India the petitioners raised a dispute before the Asstt. Labour Commissioner (Central) who entered into the conciliation proceeding. But the conciliation proceedings

failed and the matter was referred to the Government of India. The Government of India declined to send the references of dispute in respect of Shri Maheswar Behera, Shri Bharat Behera, Shri Kamraj Behera etc. observing that the Ministry did not consider the dispute fit for adjudication. But the same government has referred the present dispute in respect of the 2nd Party-workman which is the result of non-application of mind and is bad in law. The 2nd Party-workman was employed on temporary basis for a specified period and by afflux of time such temporary employment came to an end and so it cannot be termed as retrenchment. He was afforded an opportunity for permanent appointment and was empanelled after interview but the panel had expired on 31-3-1997. Thereafter he has no right to claim re-employment.

4. On the pleadings of the parties the following issues were settled for adjudication :

ISSUES

- (1) Whether this reference cannot be entertained in view of the allegations made in Para 10 of the written statement of the 1st Party-Management ?
- (2) Whether the action of the Management of Chief General Manager, State Bank of India, Orissa Circle, in not re-employing Shri Bijay Nayak, Ex-Temporary Messenger in services is justified ?
- (3) If not, what relief is the applicant entitled ?

5. The 2nd Party-workman since remained absent on the last date preceding the settlement of issues, a notice under registered cover was issued to him for the date fixed for his evidence. But he did not turn up on any of the dates fixed thereafter for hearing of the reference. Therefore the case was set ex parte against the 2nd Party-workman and on evidence from the side of the 2nd Party-workman could be recorded in the case.

6. The 1st Party-Management has examined Shri Dhananjay Dalai as M.W.-1 and proved and exhibited documents marked as Ext.-A to F.

FINDINGS

Issue No. 1

7. The 1st Party-Management has taken the plea in its written statement that the Government of India in similar cases of Shri Maheswar Behera, Shri Bharat Behera, Shri Kamraj Behera etc. has rejected the disputes for reference as it did not find the disputes fit for adjudication. But the same Government has referred the present dispute of the 2nd Party-workman which is the result of non-application of mind and is bad in law and therefore it cannot be entertained.

8. It is well settled that the act of referring the dispute under Section 10 of the Industrial Disputes Act, 1947 is an administrative act and it rests upon the sole discretion, of course, on some sound principle of the appropriate Government to refer or reject to refer a dispute for adjudication to an Industrial Tribunal/Labour Court. This Tribunal cannot sit over the order of reference of the Government and decide whether the reference is to be entertained for adjudication or not. The allegations made by the 1st Party-Management in Para 10 of its written statement are not valid and sufficient to deny hearing of reference. Therefore this issue is decided against the 1st Party-Management and it is held that the order of reference is well within the competence of the Government of India in the Ministry of Labour making reference to this Tribunal for adjudication.

Issue No. 2

9. The stand of the 1st Party-Management with regard to disengagement of the 2nd Party-workman is that he had worked intermittently at the time of exigencies for a specified period in temporary or casual capacity. He had not completed 240 days of temporary service in any of the calendar year in the years he worked under the 1st Party-Management. He was interviewed for permanent appointment in the Bank and kept at Sl. No. 17 in the panel list, but due to expiry of the panel on 31-3-1997 he could not be accommodated. He along with some other workman filed an O.J.C. No. 6785/95 before the Hon'ble High Court of Orissa in which order for consideration of their representation for re-engagement was passed and the petitioners were asked to file representations in this regard. After consideration, their representation was rejected. As such he is not entitled to re-employment. In the case of "Secretary, State of Karnataka and others-versus-Umadevi and Others" relied by the 1st Party-Management it has been clearly laid down that temporary or casual or daily wage workers cannot claim as a fundamental right to be absorbed in service. The 2nd Party-workman has taken all legal recourse for his re-employment under the 1st Party-Management, but having no right or title to such relief he was not given re-employment. Under law also he cannot be given re-employment on the basis of his previous engagement as a temporary or casual or daily wage worker, under the 1st Party-Management as he could not make out any ground for such a direction to be issued to the 1st Party-Management. As such the action of the 1st Party-Management cannot be held illegal and unjustified in not re-employing the 2nd Party-workman Shri Bijay Nayak, Ex-temporary messenger. This issue is accordingly decided against the 2nd Party-workman.

Issue No. 3

10. Since the claim of the 2nd Party-workman is not valid and justified on the grounds stated above, he is not entitled to any relief as prayed for.

11. Reference is answered accordingly.

Dictated and Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 11 फरवरी, 2011

का. आ. 709.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक ऑफ बिकानेर एण्ड जयपुर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या 115/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-2-2011 को प्राप्त हुआ था।

[सं. एल.-12012/14/2005-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 11th February, 2011

S.O. 709.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 115/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of Bikaner and Jaipur and their workman, received by the Central Government on 11-2-2011.

[No. L-12012/14/2005-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Present :

N. K. Purohit, Presiding Officer

I.D. 115/2005

Reference No. L-12012/14/2005-IR (B-I) dated : 14-9-2005

Shri Mohan Singh,
S/o Shri Ramcharan
Through-Secretary, Hind Mazdoor Sabha,
Bengali Colony, Chawani, Kota (Raj.)

Vs.

The General Manager,
State Bank of Bikaner and Jaipur,
Regional Office, Industrial Area,
Jhalawar Road, Kota (Raj.)

AWARD

31-1-2011

1. The Central Government in exercise of the powers conferred under clause (d) of sub-sections 1 and 2 (A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial Dispute to this tribunal for adjudication which runs as under :

“क्या कर्मकार श्री मोहन सिंह पुत्र श्री रामचरण ने दिनांक 1-6-96 से 29-2-2000 की अवधि में स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर की समरानिया शाखा में रु. 240 प्रतिमाह वेतन पर 240 दिन से अधिक कार्य किया है ? यदि हां, तो क्या प्रबन्धक स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर द्वारा 1-3-2000 से कर्मकार को नौकरी से हटाने की कार्यवाही वैध एवं युक्तिसंगत है ? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है ?

2. The applicant is his claim statement has pleaded that he was employed by the non-applicant Bank on 1-6-1996 at Samarai Branch of the Bank as class IV employee and he was paid Rs. 240 per month as salary. He was performing job of filling water and cleaning in the morning and thereafter job of class IV during office time. He has further pleaded that despite he had worked continuously from 1-6-1996 to 29-2-2000 and had worked for more than 240 days, he was terminated on 1-3-2000 without any notice or compensation in lieu of notice in violation of section 25 (F) of the I.D. Act. The applicant has also pleaded that non-applicant did not prepare any seniority list and junior to him were working with the non-applicant therefore, his termination was in violation of section 25 (G) of the I.D. Act. The applicant has alleged that after termination of his service, Shri Shivaji Sen has been employed without any offer of employment to him. Thus, the applicant has prayed for his reinstatement with full back wages and consequential benefits.

3. The non-applicant Bank in its counter statement has denied the claim of the applicant and has averred that the applicant was engaged for a specified periods on the basis of oral contract for filling water. He had not worked in the year 1999 and 2000 and he had never worked for 240 days in any calendar year. It has been further averred that employer employee relation never existed between the parties and provisions of Sections 25F, G and H are not applicable in this matter. Therefore, the claim of the applicant deserves to be rejected.

4. In rejoinder, the applicant has only reiterated his earlier averments made by him in his claim statement.

5. The applicant did not appear at the stage of applicant's evidence therefore, ex-parte proceedings were drawn against him on 25-11-10. The non-applicant has also not adduced any oral evidence. Under these circumstances, there is no oral evidence of either party in support of their respective case. The documents which

were desired by the applicant vide his applications dated 24-2-06 and 26-4-06 have been produced by the non-applicant on 28-6-06.

6. Heard submissions of the learned representative for the non-applicant and perused the record.

7. On pleading of the parties following points crop-up for consideration :

(i) Whether the applicant had worked continuously from 1-6-96 to 29-2-2000 with non-applicant and had worked for more than 240 days whose service was terminated on 1-3-2000 in violation of Section 25 (F) of the I.D. Act ?

(ii) Whether at the time of terminating the service of the applicant juniors to him have been retained in violation of Section 25 (G) of I.D. Act ?

(iii) Whether after termination of service of the applicant Shri Shivaji Sen workman was employed without any offer of employment to the applicant as required under Section 25 (II) of the I.D. Act ?

(iv) Relief ?

Point No. 1

8. Before a workman can claim retrenchment not being in compliance with Section 25F of the I.D. Act, he has to show that he has been in continuous service of not less than one year with the employer who had retrenched him. As per sub-section (1) 25B of the Act, the workman shall be said to be in continuous service for one year if he has been in the employment of the employer for the continuous, uninterrupted period of one year except the period the absence is permissible under the said section. As per sub-section 1 of Section 25B even if the workman is not in continuous service within the meaning of clause (1) of sub-section (1) of 25B for the period of one year, he shall be deemed to be in continuous service for that period under an employer if he has actually worked for 240 days in the preceding period of twelve months from the date of his termination.

9. Since the non-applicant has denied the claim of the applicant initial burden was on the applicant to show that he had worked for 240 days in preceding 12 months prior to his alleged termination or he was in continuous service within the meaning of clause (1) of sub-section (1) of Section 25B for the period of one year.

10. The applicant has not adduced any oral evidence in support of his claim. On perusal of the record, it reveals that vide application dated 24-2-06 and 26-4-06 a request was made by the applicant to summon the documents mentioned therein from the non-applicant. It further reveals that following documents have been produced by the non-

applicant on 28-6-06 :

- (i) Copy of Payment vouchers and applications submitted by the applicant for payment for the period from 27-6-96 to 7-12-98 of the applicant.
- (ii) Copy of Payment vouchers pertaining to Shri Shivaji Sen.
- (iii) Copy of Register of Employment for the period January, 96 to December, 2000.
- (iv) Copy of Petty charges register for the period 1-6-96 to 31-12-2000.
- (v) Copy of Certificate pertaining to meter connection in the branch.
- (vi) Copy of Statement of the bank account of the applicant.
- (vii) Copy of the applicant for granting loan for business.

11. On perusal of the copies of payment vouchers, applications, petty charges register, it is evident that during period from 27-6-96 to 7-12-98 payments were made to the applicant for filling water on different dates on the basis of applications submitted by him. It is also evident that regular salary was not being paid and the payments of different amount were made on the basis of number of days he had performed the job and nature of job viz. cleaning, filling water etc. From the register of employment it further reveals that he was not marking his attendance in the said register as class IV employee. The other documents which are on the record are not relevant for the purpose of calculating working days of the applicant. The workman has not adduced any oral evidence in support of his claim. Apart from this even from the material on the record and on reckoning the number of working days figuring therefrom neither it is established that the applicant was in continuous service within the meaning of clause (II) of sub-section (1) of Section 2(b) nor it is established that he had worked for at least 240 days during preceding 12 months from the date of his alleged termination i.e. 1-3-2000, this point is decided against the applicant.

Point No. II

12. The applicant has not disclosed the name of the junior person said to be retained while terminating his service. Moreover, there is neither any oral nor any documentary evidence on the record to show that while terminating service of the applicant any junior to him was working with the non-applicant, hence, this point is also decided against the applicant.

Point No. III

13. The applicant has pleaded that after terminating of his service Shri Shivaji Sen was employed in his place

without offer of employment but there is no evidence that without offer of employment to the applicant the above name person was engaged in his place. Therefore, the applicant has failed to prove that the non-applicant has violated the provisions of section 25(H) of the I.D. Act.

Point No. IV

14. In the result, the reference is answered in negative. Resultantly, the applicant is not entitled to get any relief. The reference under adjudication is answered accordingly.

15. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 14 फरवरी, 2011

का. आ. 710.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, मुम्बई के पंचाट (संदर्भ संख्या 06/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-2-2011 को प्राप्त हुआ था।

[सं. एल.-41012/63/2006-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 14th February, 2011

S.O. 710.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 06/2007) of the Central Government Industrial Tribunal-cum-Labour Court-I, Mumbai as shown in the Annexure in the industrial dispute between the employers in relation to the management of Western Railway and their workmen, received by the Central Government on 10-2-2011.

[No. L-41012/63/2006-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.-1, MUMBAI

Present :

Justice G.S. Sarraf, Presiding Officer

Reference No. CGIT-6 of 2007

Parties :

Employers in relation to the management of Western
Railway

AND

Their workman (Shri Radka Bhima)

Appearances :

For the Management	:	Absent
For the Workman	:	Absent
State	:	Maharashtra

Mumbai, dated the 2nd day of February, 2011

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour, New Delhi Order No. L-41012/63/2006-IR (B-1) dated 24-1-2007. The terms of reference given in the schedule are as follows :

“Whether the action of the management of Western Railways, Mumbai is justified and proper in imposing the penalty of removal from services on Shri Radka Bhima ? If not, then what relief the workman is entitled to ?”

2. None present on behalf of the Western Railway.

3. The workman appeared after service of notice and prayed for time to file statement of claim but thereafter he remained absent continuously. A notice issued to the workman Radka Bhima in compliance of the Order dt. 30-11-2010 has been served on the workman but still the workman is not present and no statement of claim has been filed on his behalf.

4. In view of the above, this reference stands disposed of for want of prosecution.

JUSTICE G. S. SARRAF, Presiding Officer

नई दिल्ली, 18 फरवरी, 2011

क्रा. आ. 711.—केन्द्रीय सरकार संतुष्ट हो, जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना दिनांक 18-8-2010 द्वारा ताम्बा खनन उद्योग,

जोकि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 13 में शामिल है, को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 25-8-2010 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 25-2-2011 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/11/97-आई आर (पी.एल.)

रवि माधुर, अपर सचिव

New Delhi, the 18th February, 2011

S.O. 711.—Whereas the Central Government having been satisfied that the public interest so required that in pursuance of the provisions of Sub-clause (vi) of the clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour and Employment dated 18-8-2010 the service in the Copper Mining Industry which is covered by item 13 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a Public Utility Service for the purpose of the said Act, for a period of six months from the 25th August, 2010.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a Public Utility Service for the purposes of the said Act, for a period of six months from the 25th February, 2011.

[F. No. S-11017/11/97-IR (PL)]
RAVI MATHUR, Addl. Secy.